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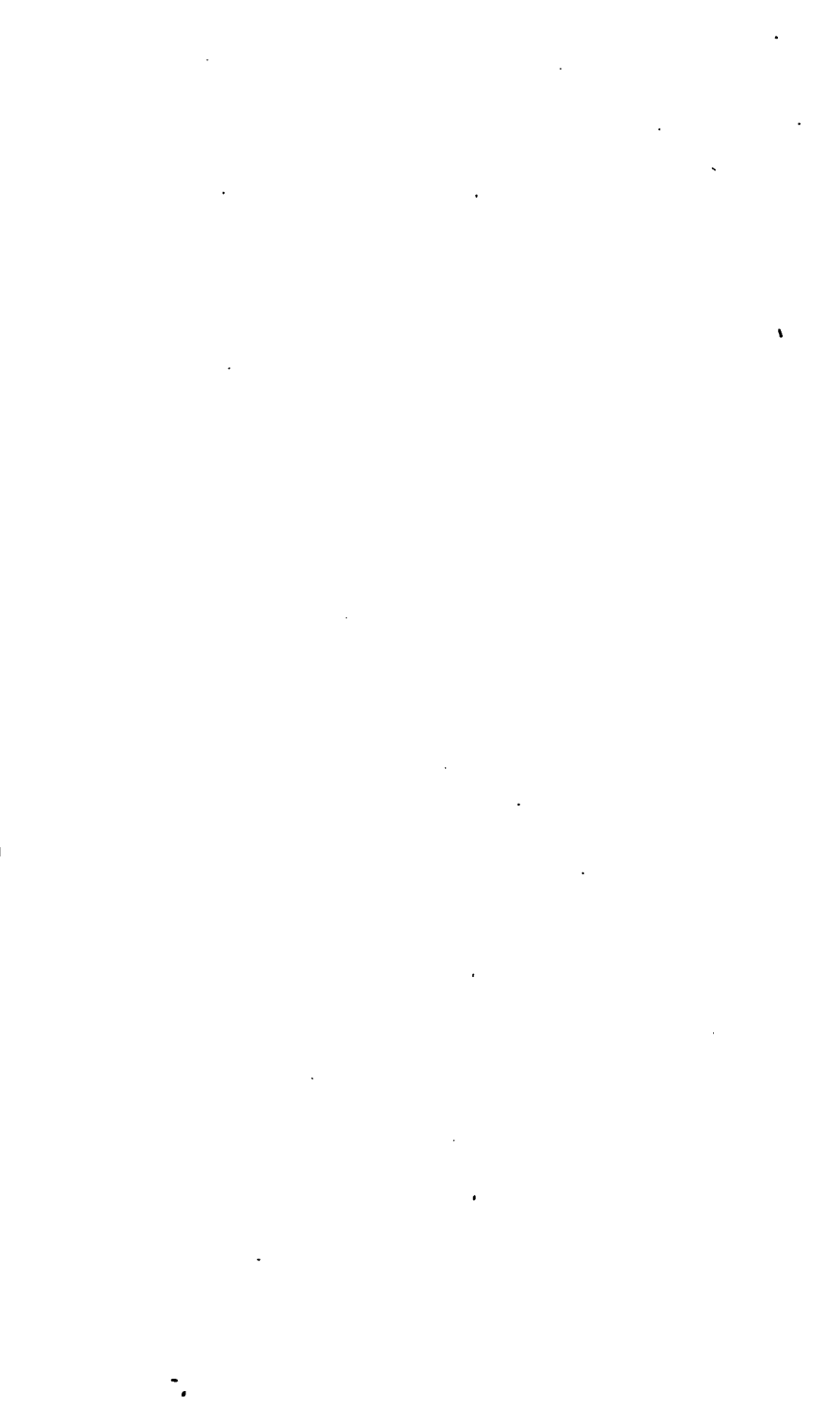
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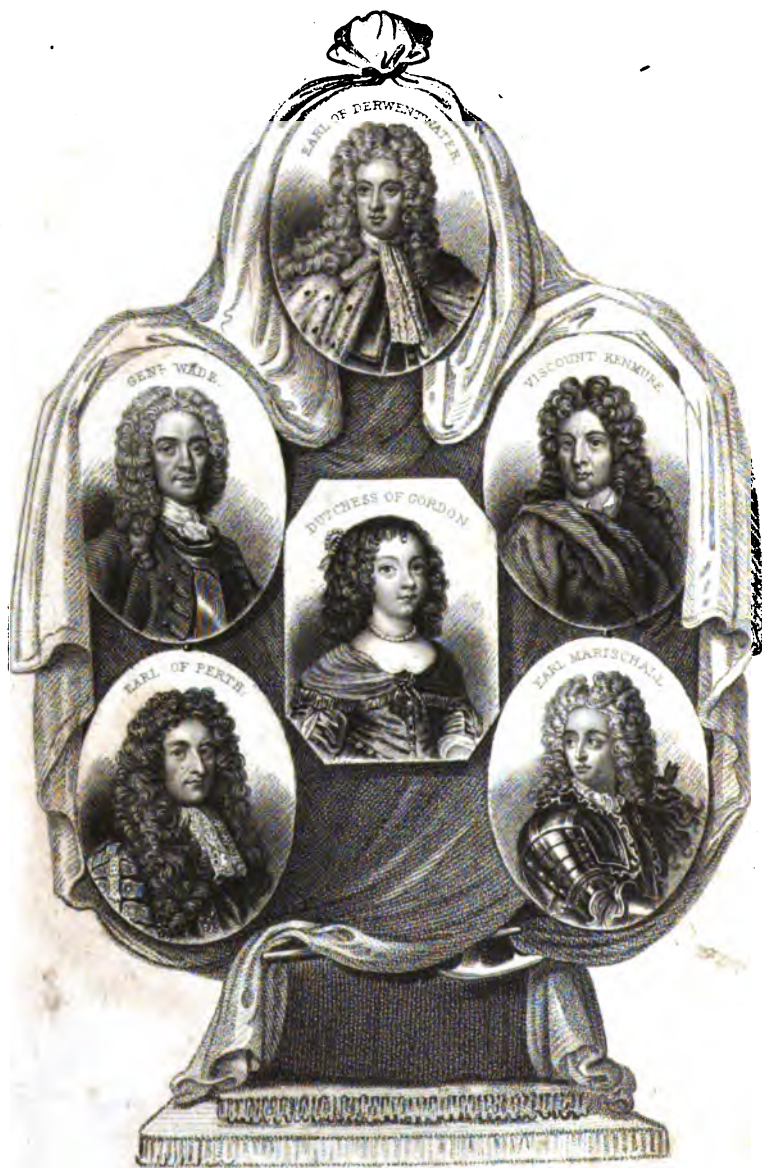


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Struthers





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THE
HISTORY OF SCOTLAND,

FROM

THE UNION

TO THE

ABOLITION OF THE HERITABLE JURISDICTIONS

IN

MDCCXLVIII.

TO WHICH IS SUBJOINED,

**A REVIEW OF ECCLESIASTICAL AFFAIRS, THE PROGRESS OF SOCIETY,
THE STATE OF THE ARTS, &c. TO THE YEAR MDCCCXXVII.**

By JOHN STRUTHERS.

IN TWO VOLUMES.

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THE HISTORY OF SCOTLAND.

Book VIII.

1733—1744.

Constitution of the Associate Presbytery—Extrajudicial Testimony—Timidity of the orthodox party in the Church—Attempt in the Assembly 1734 to restore the seceding ministers—Reflections on that Assembly—Synod of Perth—Effects of the proceedings of that Synod—Petition from the General Assembly against patronage—More violent intrusions—The Seceders' reasons for not acceding to the judicatures of the Church—The Assembly, 1736, still aims at reformation—The judicial Act and Testimony, &c.—Dissolution of Parliament—War upon the continent—Strange edict of the French government—New Parliament—King visits Hanover—Gin-shop bill—Porteous mob—Proceedings of the Court and Parliament in consequence of this mob—Meeting of the General Assembly—Disputes among the royal Family—Proceedings of the Assembly of the Scottish Church with regard to the Seceders—Of Mr. John Glas, &c.—War with Spain—Admiral Vernon—Extremely severe winter—General Assembly recommend the duties of fasting and humiliation—Apply to the civil government for aid against the Seceders—Mr. George Whitefield—Combustion Work—The Associate Presbytery pass an act anent the doctrine of grace—General Assembly—Sir Robert Walpole and the Spanish war—State of affairs in Scotland—General Assembly—Professor Leechman—Associate Presbytery proceed to renew the covenants—Mr. Thomas Nairn—Impartial Testimony, &c.

BEING forcibly ejected, as we have briefly narrated, by the judicatories of the established church, the seceding brethren were not called upon to decide the very delicate question, How far, abstractedly considered, the evils complained of in that church went to justify separation from her? they were at once reduced to the necessity of laying down their ministry, in obedience to a sentence which they held to be equally unscriptural and unconstitutional, or of exercising it, in a dependence upon God's grace, and as he might give them in providence an open door, in the face of that sentence, with all its attendant discouragements. The great line of duty in their present situation, was thus brought to terminate in a narrow point, where there was scarcely room left for any difference of opinion. At the same time, that there might be unity and consistency in their

efforts, it was resolved that they should, without loss of time, constitute themselves into a judicative capacity, which, after nearly two days spent in prayer and conference, was done at Gairney Bridge, near Kinross, upon the sixth day of December, 1733.

The commission of the General Assembly, were, in the meantime, diligent in following out their sentence to its completion, and from their particularity in ordering letters to be sent by the moderator to the magistrates of Perth and Stirling, and to the sheriff and baillie of regality of Abernethy, it was evident they wished to give it a temporal as well as a spiritual effect. Fortunately, however, these gentlemen were by an act of parliament disqualified from taking any share in the business, and had the seceding ministers been as versant in law as they were in the duties of their profession, and as tenacious of their civil rights and their personal emoluments, as they were of the interests of truth, and the rights of the Christian people, the probability is, that they had each of them possessed his kirk, his manse, and his stipend, till the day of his death, for the act of toleration, procured for the episcopalians by George Lockhart and his associates, in the reign of queen Anne, prohibits all magistrates from giving effect to any ecclesiastical sentence;*

* The following is the clause of this Act to which we more especially allude. "And be it farther declared and enacted by the authority aforesaid, that no civil pain or forfeiture, or disability whatsoever, shall be in any ways incurred by any person or persons, by reason of any excommunication or prosecution in order to excommunication by the church judicatories in that part of Great Britain, called Scotland; and all civil magistrates are hereby expressly prohibited and discharged to force or compel any person or persons to appear when summoned, or to give obedience to any such sentence when pronounced, any law or custom to the contrary notwithstanding."

Such is a specimen of the absurdity, which, under the pretence of conscience, and in the face of an express stipulation, a wicked faction found means to establish, which a British legislature has continued to guarantee, and to which the Scottish church and nation has, with the most abject baseness, submitted for one hundred and seventeen years. After considering such a clause, no one will wonder that prosecutions before ecclesiastical courts are always undertaken with great reluctance, and that when undertaken, their issue is so often utterly unsatisfactory. Instances have indeed occurred, of persons, even before the General Assembly, being declared free of all moral culpability, who, before the court of session, have been in a few days after found guilty to the full extent charged against them.

but, as yet, that act had never been contemplated but in its most malign aspect as a protection to the Jacobites, and as the seceders were any thing but Jacobites, they probably scorned to take advantage of a law that was at the time supposed to be of so pernicious a tendency. They were, however, encouraged by the adherence, for the most part, of their people, and a pretty general expression of popular feeling in their favour. Mr. Adam Ferguson, minister at Killin, was appointed to intimate the sentence against Mr. William Wilson from the pulpit of the old church of Perth, but was prevented, as he stated in a letter to the commission, by a tumultuous multitude which met him at a distance from the city, and forcibly resisted his entrance. A protest, taken by professor Campbell of St. Andrews, against the sheriff-substitute of Perth, for refusing to grant him protection in intimating the sentence against Mr. Alexander Moncrief, from the pulpit of the church of Abernethy, was also transmitted to the commission, and by the next assembly to the committee for overtures, where it necessarily rested.*

Having constituted themselves into a presbytery that they might exercise discipline as well as dispense doctrine, and that they might be in a capacity to extend relief to the oppressed and aggrieved parishes generally throughout the land, the seceding brethren proceeded, in the month of March following, to review a Narrative and State of the proceedings of the judicatures against them, which had been published by a committee of the commission, and in the month of May they emitted A Testimony to the Doctrine, Worship, Government, and Discipline, of the Church of Scotland,—or Reasons for their protestation before the commission, &c. &c.† containing, a narrative of the proceedings of the judicatures against them.—Some historical observations on the state of the church of Scotland, both in her reforming and declining periods.—Reasons by the protesting ministers for their secession from the prevailing party in the church.—Reasons for the validity of their pastoral relations to their respective

* *Vide* Index to unprinted Acts of Assembly, 1734.

† This was afterwards denominated the Extrajudicial Testimony.

congregations,—and Reasons for their exercising the keys of government and discipline. Their reasons for seceding from the prevailing party in the church,—for from the church itself they were strenuous in maintaining that they had made no secession,—they reduced to three heads or general charges.—“First, that they were breaking down our beautiful presbyterian constitution.” This they proved by a great variety of facts, with regard to the conduct of the assemblies of the church, and particularly of her commissions, which had been in the habit of appointing sub-commissions or riding committees, as they were called, with powers of trial and ordination, in cases where presbyteries refused to carry forward intrusions upon dissenting and reclaiming congregations. “What,” say they, “is the difference betwixt fourteen diocesan prelates taking the power of trial and ordination out of the hands of all the presbyteries in Scotland, and a commission of the General Assembly, whereof, thirty-one makes a quorum, divesting all the presbyteries of Scotland of this inherent right and privilege, when their sinful and unwarrantable orders are not obeyed? For our part we know none, except that the former exercise this lordly dominion over the heritage of God, in a plain consistency with their declared principles, when the latter do it under a presbyterian mask, but in a direct inconsistency with their professed and known principles. Hence it is that the flock of Christ are wounded and grieved, scattered, and broken through the land: the wicked are hardened, and this church is become the derision of her enemies.”*

Their second charge was, that the prevailing party are “pursuing such measures as do actually corrupt, or have the most direct tendency to corrupt the true doctrine contained in our excellent Confession of Faith.” This they illustrated largely in the cases of professors Simpson and Campbell, and from the manner of preaching adopted by many of the more fashionable clergymen, “in whose discourses,” they observe, “there is as little of Christ to be found, as in Plato or Seneca’s morals.” And they add, “through the influence of this party, there is too

* A Testimony to the Doctrine, Worship, and Government, &c., p. 66.

much ground to fear, that in a little time (if God do not prevent) this established church shall only be orthodox in the same sense that the church of England is so, by subscribing the Thirty-nine Articles, which are truly Calvinistic in the doctrinal parts, while yet Arminian doctrine is every where taught by her clergy. Upon which account, we judge this generation and our poor posterity in the utmost danger of losing the gospel, in its power and purity, through the prevalency of a corrupt and unsound ministry. If a man have any little acquaintance with what they call the belles-lettres, or gentlemanly learning—if he have the art of making his compliments and address to a person of quality—if he can accept of a presentation from a patron, and be a fit tool to carry on the measures of the ruling party of the church—that is the man that shall find encouragement in our assemblies and commissions, though he know not how to speak a word in season to a weary soul. No regard is had to a man's acquaintance with experimental religion, and the power of godliness upon his own soul, according to the acts of the church in former times. But on the contrary, if there be a man who has an air of piety and religion, however well polished by the Lord for edifying the body of Christ, and for overthrowing the works of the devil, for which purpose the Son of God was manifested, the prevailing party have an evil eye of jealousy upon that man, as a person of dangerous and divisive principles. And if a clear gospel call to such a man offer from the body of a Christian people, he must be set aside, and the hue and cry raised against him, as though an enemy were coming into our borders. By these and the like methods of management, it looks as if a faithful ministry, in a few years, shall be gradually wormed out of Scotland, and our posterity left without the knowledge of the gospel, and a covenanted work of reformation buried in perpetual oblivion.”*

The third charge was, “that sinful and unwarrantable terms of ministerial communion are imposed by restraining ministerial freedom, and faithfulness in testifying against the present course of defection and backsliding.” This charge they illustrated

* Testimony to the Doctrine, Worship, Discipline, and Government, &c. pp. 79, 80.

principally by a retrospect of the proceedings against themselves, which we have already narrated; and they conclude, "We do then upon the whole conceive, that although we have hitherto continued contending and wrestling in a way of church communion with our brethren, yet now finding that there is no stop put to the backsliding measures, and that the current of defection runs with such an impetuous torrent, and that we are excluded from keeping up a testimony against their many sinful and unwarrantable proceedings, in a way of church communion with them. Therefore we judge it to be our duty to make a secession from ministerial communion with the present prevailing party in the established church, till they are sensible of their above-mentioned sins and mistakes, and reform and amend the same.

"But notwithstanding of this our present secession from the prevailing party in the judicatories of this church, yet we hereby declare, as our protestation bears, 'That we are willing to hold communion with all such as desire with us to adhere unto the principles of the true presbyterian covenanted church of Scotland, in her doctrine, discipline, worship, and government; and particularly with every one who are groaning under these evils, and affected with those grievances that we have been complaining of, and who are in their several spheres wrestling against the same,' and we hope that there is a goodly number of such in the several corners of this church."*

The boldness of this procedure, while it astonished and appalled their enemies, seems to have, at the same time, surprised, and in some degree offended many of their friends, especially those of them that had already half, but were unwilling wholly to commit themselves. Of course these friends made more than ordinary efforts to have something done, that might, at least, if it did not heal the breach, afford a plausible pretext for standing back, and taking no active hand in the matter. The leaders of the assembly too, fearful of the consequences of a system new and untried, were also willing to concede something at the present time, in order to fix the wavering, and confirm the doubtful; well knowing,

* Testimony to the Doctrine, Worship, &c. pp. 93—95.

that though they could not recal the past, if they could by a semblance of moderation gain over those brethren, whose views were the same with those of the seceders, but who had not yet openly declared themselves, a most important point would be gained, and the schism, though not totally made up, might be prevented from spreading. Accordingly, when the assembly met upon the second day of May, 1734, it was found to be of a complexion somewhat different from many that had preceded it. There was still, however, as has been remarked by one exceedingly partial to this assembly, "the mighty opposition of great men, ruling elders, who had a strong party in the house to support them,"* and who by this means took effectual care that nothing should be done in the way of reformation, further than might be justified by a prudent and calculating worldly policy.

Of this assembly the Rev. James Gordon of Alford was chosen moderator, William, marquis of Lothian, being commissioner. In addition to the ordinary letters of congratulation, this assembly presented a humble address to his majesty on the marriage of the princess royal with his serene highness the prince of Orange, not remarkable for any thing beyond the verbiage common upon such occasions. The first private cause that came before this assembly, was "an appeal of the heritors and elders of the parish of Cambusnethan against the presbytery of Hamilton, their sentence concerning the settlement of that parish," which was decided in the use and wont style, the case being remitted back to the presbytery to be determined as they shall judge to be for the edification of that congregation. In a complaint, however, by the parish of Auchtermuchty, and the presbytery of Cupar, against the commission concerning the settlement of Mr. Matthew Moncrief, probationer, as minister of Auchtermuchty, they found that the commission had exceeded its powers, and, contrary to common practice, annulled the settlement.†

In examining and passing the commission book also, it was done "with a reservation as to their conduct, and sentence

* Fair and Impartial Testimony, p. 76.

† Unprinted Acts of Assembly, 1734.

past against Ebenezer Erskine, William Wilson, Alexander Moncrief, and James Fisher, excepting also from the approbation of their book the settlement of the parish of Troquire, and the judgment given by them relative to the planting the parish of Portmoak, which are reserved till the complaints concerning these be heard, reserving also the consideration of the remarks made on their method of proceeding to, or executing other settlements.* This was certainly somewhat new in the mode of disposing of commission cases; but it was soon found that the assembly wanted time to inquire more particularly into these matters, and they were turned over to the next commission.

An act, declaring the seventh act of assembly, 1730, discharging the recording of dissents from the deeds of church courts, and the eighth act of assembly, 1732, concerning the planting of vacant churches, to be no longer binding rules in this church, was passed by this assembly, and, on the last day of their sitting, the following, respecting the seceding brethren:—“The General Assembly, considering the great hurt and prejudice that hath at all times arisen, and must yet arise to the church from divisions and animosities creeping in and taking root among the members thereof, notwithstanding their unanimity in sentiments upon material and fundamental points which more nearly concern the promoting the interests of our blessed Lord and Saviour, the establishing the peace of the church, and the advancement of practical godliness, and true religion within the bounds of it, and particularly the lamentable consequences that have followed, and may yet follow upon the separation of Messrs. Ebenezer Erskine, William Wilson, Alexander Moncrief, and James Fisher, from this church and judicatures thereof, and judging it their duty to endeavour, by all just and proper means consistent with the honour and glory of God, and the maintaining the peace and authority of the church, to restore harmony and brotherly love amongst all the members of it. Therefore, the General Assembly, without further inquiring into the occasions or steps of proceeding, either on the part of the said brethren, or by the several judi-

* Unprinted Acts of Assembly, 1734.

catories, under whose consideration their case hath been, which may have produced that unhappy separation, but resolving that all questions on these heads shall for hereafter be comfortably removed, have empowered, and hereby do empower the synod of Perth and Stirling, before whom the exceptions to some part of the conduct of two of these four reverend brethren were first taken and tried, upon such application made to them, as they shall judge proper, to take the case of the said four brethren, as it now stands, under their consideration, with full power to the said synod to proceed, and do therein, as they shall find most justifiable and expedient for restoring the peace and preserving the authority of this church, and for promoting the edification of the members of the body of Christ, and particularly for uniting the said four brethren to the communion of this church, and restoring them to their respective charges. But with this express direction, that the synod shall not take upon them to judge of the legality or formality of the former proceedings of the church judicatories in relation to this affair, or either to approve of, or censure the same, but shall only, in virtue of the power and authority now delegated to them by the assembly, proceed to take such steps for attaining the above ends for the future, as they shall find just and tending to edification. And the assembly do hereby appoint the foresaid synod to meet at Stirling, upon the first Tuesday of July next; and from time to time to name and appoint the place and diets of their after meetings on the said affair, as they shall see cause, until the matter shall be ripened for a final conclusion, and recommend to them to use their utmost endeavours to bring the matter, as soon as reasonably can be, to a final and happy issue."

We have given the above document entire, as we consider it one of the most important, and one of the strangest on record. The preceding assembly had enjoined its commission to do all that had been done with regard to the seceding brethren; this assembly orders a synod to reverse all that the commission had done, but with the express proviso that they should not take it upon them to judge either of the legality or the formality of the proceedings they were thus ordered blindly to reverse. Upon what principle was the synod to proceed? If the sen-

no force or effect for the future, unite and restore them to ministerial communion with this church, to their several charges, and to the exercise of all parts of the ministerial function therein, as fully and freely as there never had been act, sentence, obstacle, or impediment whatsoever in the way thereof in time past, all which are hereby declared *anipite*, and set aside for the future. And the synod do recommend to these four reverend brethren, to carry towards the Lord's servants, their brethren, ministers of this church, and their respective flocks and charges, as ministers of Christ and his gospel ought to do in all time coming. And they do, in the like manner, recommend it to the respective presbyteries of Perth, Stirling, and Dunkeld, to receive them as members of their respective presbyteries, and behave to them as ministers of Christ in this church, and do enjoin not only the ministers of the said presbyteries, but also of all other presbyteries within their bounds, and the said four brethren, so to demean themselves towards each other, as may answer the obligations they came under by their ordination vows in the Lord. And the synod take this opportunity to warn all the people in this province to beware of every thing that may have a tendency to obstruct the good ends of this act, and what the General Assembly had so much at heart, viz. the peace and union of this church, by doing what may encourage division, or weaken the hands of the Lord's servants set over them. And further, the synod appoint the names of the said four brethren to be immediately enrolled in the records of this synod, and that Mr. Hamilton read this act from the pulpit of Stirling, Mr. Black, from the pulpit of Perth, Mr. Meek, from the pulpit of Abernethy, and Mr. Gow, from the pulpit of Kinclaven, on some Lord's day betwixt and the first of August. And the synod recommend it to Mr. Hamilton to acquaint Mr. Erskine, Mr. M'Intosh to acquaint Mr. Wilson, Mr. Palmer to acquaint Mr. Moncrief, and Mr. Gow to acquaint Mr. Fisher of this act and sentence with their first conveniency. And finally, they appoint this act to be insert in all the presbytery books within this province, and they leave it to every minister to intimate the same to their congregations as they see cause."*

* Extract of the Proceedings of the Synod of Perth and Stirling, &c.

Though the seceders, as might easily have been foreseen, could not take the benefit of this act, it served to deter many from joining their standard, and was made a handle for raising a prodigious clamour against them, especially by those who had been most warmly interested in their behalf,* and through

* " When the sentence of the commission in November, 1733, loosing the relation of the four brethren from their charges, was past, many protested against it, as did the four brethren themselves, who also appealed to the first free, faithful, and reforming General Assembly of the church of Scotland. Had they sisted here they had done well; but they went a great deal further, by making a secession from the judicatories of this church, and a short time after constituting themselves into a distinct judicatory for licensing preachers, and ordaining ministers, wherever they should find encouragement. At the same time they would still hold communion with all who were true presbyterians, and groaned under, and wrestled against the evils they had been complaining of. This was then their declared resolution, tho' alas! they soon departed from it. At first they seemed to be determined to continue in ministerial communion with many worthy ministers they had formerly been intimate with, tho' these had not freedom to secede as they had done, nor go all their lengths; and Mr. Erskine in his answers to the synod, owned that there were still a body of faithful ministers in the church of Scotland, with whom he did not reckon himself worthy to be compared, which body had the truths contended for at heart, together with the peace of the church, as well as the four brethren. And seeing the case was such, the brethren ought in justice to have communicated counsels with that faithful body of ministers, who were willing to meet with them at the ensuing assembly, before they had taken two such strong steps as their secession and constitution; which uncommon steps, they might easily see, tended greatly to affect that whole body, yea, even to divide and rend them asunder, together with the people who should adhere to them respectively, in case that faithful body should not have light to go into all the measures of the four brethren. Whatever thoughts the brethren might have about the union of the church in general, it might have been expected they would have showed something of concern for the union of that faithful body of ministers, for whom they did then profess a great regard. Moreover, since they had appealed for redress to the first faithful General Assembly, they should have delayed any such extraordinary steps until the meeting of the next assembly, then approaching, and so have kept the matter entire until the whole case was laid before them; which the brethren themselves should have been ready to do. For, considering how sensibly touched the whole church was with their case, and what preparations were making for the approaching assembly, the brethren could not be sure but it might prove the reforming assembly they appealed unto. O, what dreadful calamities to the church might have been prevented, had the four brethren continued praying and deliberating on the foressaid two steps until the meeting of the assembly in May, 1734; and not have so precipitantly seceded from the national church, and constituted

whose exertions, aided by the general expression of popular feeling, it had been procured, and had it been followed up with a little more address, and a few more sacrifices to consistency and propriety, might have had a serious influence upon their future prospects. Even as it stood, it certainly had the effect of leading them to a more close examination of the grounds upon which they had stated their secession, and to a mode of procedure that was cautious and deliberate. Though they had seceded from the judicatories of the church, and constituted themselves into a presbytery, they had not proceeded to any act of jurisdiction, when the above act was made in their favour, their meetings having been only for prayer and conference with regard to the trying and peculiar circumstances in which they were placed. Seeing some little appearance of reformation on the part of the assembly, 1734, they forbore to proceed further for another year, and, as one of the brethren entertained scruples upon the subject, they continued their meetings only for prayer till after the assembly, 1736, when all hope of redress from the judicatories had entirely vanished.*

The hopeful beginnings of the assembly, 1734, were indeed soon at an end, and even the warmest of its admirers found that little had been accomplished. Attempting to follow up what they supposed they had gained in this assembly, and still farther to conciliate the seceders, and to soothe the people in general, the commission sent an embassy to London to solicit king and parliament for a repeal of the act restoring patronages. This embassy was highly respectable. It consisted of the Rev. Messrs. Gordon of Alford, Willison of Dundee, and M'Intosh of Errol, but they met with no success.† The assembly which met at Edinburgh, May the eighth, 1735,

themselves into an antipresbytery, by which means, alas ! they became too much engaged in honour to persist in their separation, whatever steps the assembly should take to redress their grievances; and we know not if there was an assembly since the revolution, more willing to do it than the assembly 1734, had the brethren applied to them for it, as they were urged by many to do."—Willison's Fair and Impartial Testimony, pp. 74—76.

* Wilson's Defence of the Reformation Principles of the Church of Scotland, pp. 141, 182.

† Account of the Life and Writings of Dr. John Erskine, by the Rev. Sir Henry Moncrieff, Wellwood, p. 448.

took the affair of patronage into their own hands, and appointed the Rev. Messrs. Alexander Anderson at St. Andrews, and James Gordon at Alford, with colonel John Erskine of Carnock, to proceed to London, and by every proper and legal method, endeavour to procure the redress of that grievance. In compliance with these injunctions, this deputation proceeded to London, when they presented the following address to his majesty:—" May it please your majesty. The church of Scotland, after great sufferings, was at the late happy revolution restored by the gracious providence of Almighty God, to the possession of her former rights and privileges, so long contended for. His majesty, king William, of immortal memory, was then the glorious instrument of her deliverance, and, at the same time, of delivering Great Britain from popery and slavery.

" Among other great and worthy things done at that memorable juncture for the church and people of Scotland, the power of patrons to present ministers to churches, was abolished by an act of parliament, in consequence of the Scots CLAIM OF RIGHT in the year 1690, for which the patrons obtained a recompense, and were also allowed to retain all the temporal benefits of patronage which they had formerly enjoyed.

" By the same act of parliament, another method of settling ministers in churches was established, in the exercise of which, that point in the constitution of a church, *to wit*, the establishing of a just relation between pastor and people, was managed with much coolness, decency, and order, and the ministers thus established, by the divine blessing on their labours, were successful in the work of the gospel, and religion and loyalty daily gained ground against profane principles and practices, and against disaffection to the civil government.

" By the act of Union, which passed by the parliaments of both the British nations, and was made the fundamental constitution of the kingdom of Great Britain, this freedom from the presentation of patrons, and the said method appointed for settling ministers in churches, did, with the other rights and privileges of the church and people of Scotland, become an essential and fundamental part of the foresaid constitution of Great Britain.

“ Notwithstanding whereof, certain disaffected persons, at a time when the most valuable rights and interests of Britain were thought to be in imminent danger, had the address to procure an act of parliament in the tenth year of the late queen Anne, rescinding the foresaid act of parliament, 1690, that abolished the power of patrons to present ministers, and established the method of their settlement in churches. And that this was done in resentment against the church of Scotland, and that further threatenings were by these persons breathed out against her, for her firm and loyal adherence to the revolution interest, and especially to the succession of the crown in your majesty’s royal protestant family, was not then denied but boasted of, and is still remembered by all who observed these times.

“ The bad effects which have thence proceeded to the interests of religion and loyalty, none but an utter stranger to Scotland can be unacquainted with, nor with the grounds of fear that these evils may mightily increase, till the cause be removed.

“ The church of Scotland having long waited for redress of this heavy grievance, and not having as yet obtained the same, did humbly believe it her duty now again to lay the case with the utmost dutifulness before your majesty, and implore your most gracious and royal favour and justice, for relieving her from these hardships, which are the more affecting, because of the lamentable consequences thereof, that seem to multiply and increase. Discontents and division appear to be growing upon the one hand, as does disaffection upon the other, whereby irreligion and licentiousness are like to prevail.

“ As no act of parliament can be made or repealed but by your majesty and parliament, we, as commissioned by your majesty’s subjects of the church of Scotland, whose unshaken loyalty is testified, even by her enemies, do, with hearts zealous for your royal person, family, and government, and zealous also, we hope for the glory of God, and the success of the gospel, presume most dutifully to approach your sacred person as the nursing father of the church of Christ, and the

guardian of your people's rights and privileges, and, in name and behalf of our constituents, most humbly to implore:— That it may please your most excellent majesty to favour the repeal of the foresaid act of the tenth of queen Anne, that so the church and people of Scotland may be restored to their just right and privilege as to the settling of ministers, secured to them by the above mentioned act of Union: And that Almighty God may greatly bless and prosper your majesty's royal person and family, and may remarkably countenance your government, and direct the same to his own glory, your majesty's honour, and the welfare of your people, is the hearty prayer of, &c. &c. Alexander Anderson, James Gordon, John Erskine.”*

All members and ministers of the church were requested by the assembly to use their influence with members of parliament to forward the ends of this petition, and it was recommended to all to be instant in prayer to God, that he may prosper the commissioners in their endeavours to have the church relieved of this great grievance. This embassy, however, had not better success than that which preceded it, it does not even appear to have at any time received so much countenance as to have the subject brought fairly before parliament.

This assembly, of which the Rev. Alexander Anderson of St. Andrews, was moderator, and to which, William, marquis of Lothian, was commissioner, had a petition laid before it for Archibald Rennie, who had been obtruded upon the parish of Muckhart, that he might be enrolled a member of the presbytery of Auchterarder, which, it would appear, like the presbytery of Dunfermline in the case of Mr. Stark of Kinross, had refused to acknowledge him as a brother. The affair was sent back to the synod of Perth and Stirling, with injunctions to continue their endeavours to obtain harmony in that quarter, and accommodate the affair in the manner best tending to edification. The case of James Pursell, who had in like manner been obtruded upon the parish of Troquire,

* Printed Acts of Assembly, 1736.

and was not enrolled among the members of the presbytery of Dumfries, was remitted to the synod of Dumfries in nearly the same terms. Summary judgment was also given by this assembly in the case of Mr. James Yair, presentee to the parish of Carridden; and with regard to the parishioners of Muckhart, Troquire, and Kinross, who refused to receive ordinances from the men who had been forced upon them as their ministers, it was remitted to their respective synods, whether to allow them to receive privileges in other parishes or not, as they found to be best for edification. It was reported to this assembly that a minister in the presbytery of Dornoch had accepted the office of sheriff depute, but that he had been rebuked for the same, and had given it up. *

Upon the whole this assembly was far from answering the expectations that had been indulged respecting it, and the seceding brethren thought it now full time for them to give to the world "Reasons why they have not acceded to the judicatories of the established church," which they did in this same month of May, 1785, at considerable length, and in a very plain and dispassionate manner. Speaking of the assembly 1784, they say, "as that assembly was composed of a body of reverend and honourable members, many of them of a considerable standing in the ministry, and whom we regard as faithful labourers in the Lord's vineyard, so it was matter of joy and refreshment, not only to us, but to many others through the land, that a stop was put to the unwarrantable and violent proceedings of some former assemblies and their commissions, and if the difficulties that lie in the way of our accession to the judicatories of the church are not removed, we do not impute it to the intentions and inclinations of many of the worthy members of the last assembly, but to the opposition they met with from some who had an active hand in carrying on, or concurring with the former course of defection." And when enlarging upon the lordly and magisterial power that had been exercised over christian people, they add, "We are far from charging the assembly, 1784, with carrying on such arbitrary measures;" and they mention

* Index to Unprinted Acts of Assembly, 1735.

some of its proceedings with thankfulness and particular approbation.*

Upon the whole they admitted that by the repeal of the acts 1730 and 1732 part of the grounds of their secession was removed, but the principal grounds thereof they found to be still remaining. More particularly the act 1732 they found was reversed merely on account of its having been enacted without going through the appointed forms, without any regard to its inconsistency with the spirit and principles of the Scottish church, or its contrariety to the word of God; that though the assembly 1734 did not countenance violent intrusions themselves, yet they gave no sufficient testimony against the many that had been already made; that the act restoring them to the communion of the church, and to their several charges, did not proceed upon the sinfulness and injustice of the sentences pronounced against them by the assembly and commission, but upon the lamentable consequences that had followed, or might follow upon the separation of these brethren, so that these sentences were left to be constructed as in themselves legal, formal, and valid—precedents that might be imitated where no such consequences were to be apprehended, thus leaving these brethren still under the character of criminals, but criminals whose just sentences had been relaxed for the sake of peace; and they found, finally, that the act 1734, concerning ministerial freedom, so far from repealing the act of 1733, was a vindication and confirmation of it, in as much as the act 1734 declares, that “due and regular ministerial freedom was not anywise impaired or restrained by the said act of assembly 1733.” These reasons they concluded with a statement of some things, that if done would take their difficulties out of the way, which we shall give in their own words at the foot of the page.†

* *Reasons why Messrs. Ebenezer Erskine, William Wilson, Alexander Moncrief, and James Fisher, have not seceded to the Judicatories of the Established Church*, pp. 4, 11.

† “1mo. That a seasonable warning be emitted against the infidelity and gross errors prevailing among us at this day; and particularly, that the true and supreme Deity of the Son of God, our Saviour, his independency and necessary existence, be expressly asserted, in opposition to those terms in which

The General Assembly of the church of Scotland was again convened on the thirteenth of May, 1736, the Rev. Lauchlan M'Intosh, minister of Errol, moderator, and William, marquis of Lothian, commissioner. This assembly, like the two pre-

Mr. Simpson attempted to subvert that important and fundamental doctrine, as has been found proven against him upon the first libel, for which he deserved the highest censure of the church; and, likewise, that the gross and dangerous errors, found proven against him by the committee in the second libel, be, in plain and express terms, condemned. And in regard it has been found proven against William Nimmo, that he has made a bold and daring attack upon the whole of divine revelation, that the highest censure of the church be inflicted upon him: and also, since Mr. Campbell, at St. Andrews, has vented some propositions reflecting both upon natural and revealed religion, and a committee of the commission having entered upon the consideration of them, the said affair be proceeded in, and brought to an issue; and likewise, that an inquiry be made into the errors vented by Mr. Wallace, in disparagement of the principles of revealed religion; and if these gross errors are found proven against the said Mr. Campbell, and Mr. Wallace, that the same high censure be inflicted upon them.

2do. That the act of assembly, 1733, censuring Mr. Erskine for impugning the act 1732, and the arbitrary proceedings of church judicatories, and appointing high censures to be inflicted on the four brethren for protesting against the said decision, as suppressing ministerial freedom and faithfulness, be rescinded, and all that has followed thereupon, be declared null and void in itself; and that all ministers of this church be enjoined to give faithful warning and testimony against the prevailing corruptions of the times, according to act of assembly, August 3d, 1648, intituled, Act for censuring of ministers for their silence, and not speaking to the corruptions of the times.

3tio. That the act of the same assembly, 1733, concerning some brethren in the presbytery of Dunfermline, be also rescinded; and that it be declared, that ministers shall be allowed to dispense sealing ordinances to all such as have had ministers intruded upon them contrary to the word of God, and the rules of this church founded thereupon, and who have not freedom to submit to the ministry of such, or to receive the ordinances of Christ from their hands, providing they be sufficiently attested, as to their christian life and conversation.

4to. In case the patronage act shall not be rescinded, that it be declared that the acceptance of presentations is contrary to the principles of this church; and that preachers who accept of the same, be censured, by taking their license from them; and that ministers for such a transgression, be suspended, and if they tenaciously adhere to it, that they be deposed. And farther, that it be declared and enacted, that in all time coming, no minister shall be settled in any vacant congregation, without the call and consent of the majority of that congregation, who are admitted to full communion with

ceding, aimed at maintaining the appearance of reformation—the better part of the church “still hoping the four brethren would bethink themselves, and cease from their dividing course,”*—but there was an incongruity and contrariety in their decisions, which showed them to be the effect of any thing but steady and consistent principle. Upon the report of the committee from London, appointed by the late assembly, they resolved, “That the church is by her duty and interest obliged to persist in using her best endeavours from time to

the church, in all her sealing ordinances; and that there be no preference of voices in this matter, upon the account of any worldly consideration.

5to. That in licensing and ordaining men to the holy ministry, all presbyteries be strictly enjoined, not only to inquire into their literature, but also their acquaintance with the power of godliness, and the work of the Spirit upon their own souls; and that they admit none to trials, in order to preaching, but such as are known to be of sound principles, of a good report, of a sober, grave, prudent, and pious behaviour, and who have the other qualifications required in the scriptures, and in the acts of the assemblies of this church, particularly act December 17, and 18, assembly 1688, and act 10, assembly 1694, and many others. And farther, that an act be framed against the present dangerous innovation both in the strain and method of preaching, practised by many ministers and preachers lately entered into this church; and that the contraveners of the said act be condignly censured.

6to. In regard the just grounds and causes of the Lord's controversy with this land, have not been particularly acknowledged for many years past, and the lamentable steps of defection and backsliding, which have lately come to a great height, have not been confessed, to the glory of God, by the commission of the last assembly, in their grounds of fasting; that therefore, in the grounds of a national fast, for which there seem to be as weighty reasons as ever, there be an acknowledgment of the great guilt of this land, in having gone on into such a course of backsliding, contrary to the word of God, and the obligations these lands are under, to promote reformation, by our covenants, national and solemn league; and that they make a full and particular enumeration of the steps of defection that have been made in our day, according to the pattern of reformation in the word, and the example of our ancestors in reforming periods of this church; particularly in the years 1638, 1646, and 1648.

If the above things were done, we might have the comfortable prospect of a pleasant and desirable unity and harmony with our brethren, in concurring with them, according to our weak measure, in all other necessary steps towards a further reformation:”—Reasons by Messrs. Ebenezer Erskine, William Wilson, Alexander Moncrief, and James Fisher, why they have not acceded to the Judicatories of the Established Church, pp. 41—44.

* Willison's Fair and Impartial Testimony.

time to be relieved from the grievance of patronage, until the same shall, by the blessing of God, prove successful," and they gave directions to "the commission to make due application to the king and parliament for redress of the said grievance, in case a favourable opportunity for so doing shall occur." They also set forth "some of the grounds in law, upon which the assembly apprehend that claim is founded, being the laws made for the establishment of this church at the revolution, and solemnly confirmed at the union of the two kingdoms." At the same time they dismissed the complaint of the parishioners of Denny, against the sentence of the commission, appointing the settlement of Mr. James Stirling, as minister of that parish, though the congregation were reclaiming almost to a man. The harshness of the sentence, to be sure, was attempted to be a little taken off, by enjoining the presbytery to deal tenderly with the people of Denny; but they were to be at pains to bring them to submit to the decisions of the church, and to the intruder Mr. Stirling's ministry. They also appointed the presbytery and synod of Dumfries to enrol Mr. James Pursell, who had formerly been intruded upon the parish of Troquire, a member of their respective judicatories, support him in his ministry, and endeavour to bring the people of that parish to submit to it.

After all this, with marvellous inconsistency, on the last day of their meeting, this assembly passed an "act against intrusion of ministers into vacant congregations," in the following words: "The General Assembly considering from act of assembly, August sixth, 1575, Second Book of Discipline, chap. iii. par. 4, 6, and 8, registered in the assembly books, and appointed to be subscribed by all ministers, and ratified by acts of parliament, and likewise the act of assembly, 1688, December seventeenth and eighteenth, and assembly, 1715, act 9th, that it is, and has been, since the reformation, a principle of this church, that no minister shall be intruded into any parish contrary to the will of the congregation, do therefore seriously recommend to all judicatories of this church, to have a due regard to the said principle in planting vacant congregations, and that all presbyteries be at pains to bring about harmony and unanimity in congregations, and to avoid every thing that

may excite or encourage unreasonable exceptions in people, against a worthy person that may be proposed to be their minister, in the present situation and circumstances of the church, so as none be intruded into such parishes, as they regard the glory of God, and edification of the body of Christ.”*

The above act was certainly in contradiction to their own practice, and to this day, seems never to have influenced any one assembly in any one of its decisions. This assembly also turned an excellent overture of the late assembly, concerning gospel preaching, into a standing act; yet this same assembly declined to pass any censure upon professor Campbell of St. Andrews, though he had taught privately, and published to the world, “that men by their natural powers without revelation, cannot find out the being of a God;” and, with an inconsistency common to depraved hearts and heretical heads, he taught at the same time, “that the law of nature is sufficient to guide rational minds to happiness. That self-love,” which he modified into interest or pleasure, “is the sole principle and motive of all virtuous and religious actions. That Christ’s disciples had no notion of his Divinity before his resurrection, before which, they expected nothing from him but a worldly kingdom, and during the interval between his death and resurrection, that they looked upon him to be an impostor.”† Mr. Campbell, as the reader may readily believe from this specimen, had promulgated many other absurdities, but these were brought directly before the assembly, and, after being heard at great length upon his own positions, the grossness of which was made more apparent by his laboured attempts to force upon them an orthodox meaning, he was dismissed without any censure, further than that the assembly “do recommend to the said professor Campbell, and to all ministers and teachers of divinity whatsoever, within this national church, to be cautious in their preaching, and teaching, or writing, not to use doubtful expressions or propositions which may be constructed in an erroneous sense, or lead the hearers or readers into error, however sound such words or propositions

* Printed Acts of Assembly, 1756.

† Ibid.

may be in themselves, or however well intended, but to hold fast the form of sound words.”*

An humble address was presented by this assembly to his majesty, upon the marriage of his royal highness the prince of Wales with the most serene princess Augusta of Saxe-Gotha; and an act was passed, enjoining “all the ministers of this church to pray for her royal highness the princess of Wales, as well as for his majesty king George, his royal consort the queen, his royal highness the prince of Wales, the duke, the princesses, and all the royal family; and that her royal highness the princess of Wales be named immediately after the prince.”

It is not probable that the seceding brethren ever entertained any very sanguine hopes of being restored to communion with the established church, and if they did, this assembly seems to have put an end to them. So far back as the month of August, 1735, they had appointed a committee of their number to prepare a draught of a testimony, tracing the defections of this church as far back as the year 1650; which draught, after spending many sederunts upon it, with diets of fasting and prayer, they enacted as their first judicial deed under the name of The Judicial Testimony, at their twenty-fourth presbyterial meeting at Perth, the third of December, 1736.

As this work has been for nearly ninety years before the public, and has been acceded to, till of late, by every member of the secession church, which now in many places outnumbered the establishment, any particular account of it here would be superfluous. We may, however, be allowed to remark, that the first seceders were men of much more extensive views than the most of those who have followed them in latter times. For many years they had been struggling, in a way of communion with the established church, against a variety of evils deeply affecting the interests of religion, and the progress of civil society; and had they been allowed, there can be no doubt that they would have continued to struggle in the same way till death had closed their career, without, per-

* Acts of Assembly, 1736.

haps, ever thinking upon any thing farther than the evils they were immediately called to contend with. But now that their brethren had cast them out, they found themselves placed altogether in a new situation—they found themselves in possession of a liberty they had not previously known, and looking around them on the state of the church and nation with which they were connected, and taking into consideration the manifold obligations under which they lay, they found themselves called upon to employ every mean competent to them for bringing about a general reformation. In prosecution of this design, they began with acknowledging the singular goodness of God, in early visiting these lands with the light of the gospel; in preserving witnesses for himself therein, even in the midst of popish darkness, and for at last giving a happy deliverance to his church therein, by the light of the blessed reformation. This reformation they thankfully commemorated in all its parts, and they bewailed the many mournful defections from it, with which the church and nation were chargeable, from the year 1650, down to the day of their testimony being enacted. But in all this they were careful to state that they appeared as a part of the true presbyterian covenanted church of Scotland; adhering to her reformed constitution, testifying against the injuries it had received, seeking the redress of these injuries, and pleading for the revival of a reformation according to the word of God—a reformation which they held had been attained to in a former period, approved by every authority in the land, and ratified by solemn vows to the Most High.

These principles, however, had never been cordially embraced by the leaders of the revolution church, and they were not clearly comprehended by many with whom the seceders had been united while they were striving together in communion with her. Of course, pride, presumption, and self-will, were the most prominent qualities the seceders were allowed to possess; and by individuals who knew not the first letters of the principles by which they were actuated, they were charitably pronounced ignorant and illiberal.* Even one of the most enlightened

* *Vide Currie's Essay on Separation, with Wilson's Defence of the Reformation Principles of the Church of Scotland, one of the most luminous and dispassionate controversial books in the English language.*

of their old friends, after charging them with nine distinct and grievous failures, concludes, "but notwithstanding of all these extravagant steps and accusations of our seceding brethren, occasioned through their intemperate party zeal, we still have regard to several of them as good men upon the main, and useful preachers of a crucified Jesus, and upon that account we wish well to them, not doubting but they have as good a title to our charity, as the Donatists and Novatians of old, and the Brownists and M'Millanites of latter years."*

But we must now resume the consideration of civil affairs, which unfortunately were still so carried on as to inflame more and more these ecclesiastical animosities which we have already seen carried to such an unhappy issue, and, in order to this, return to the parliament which we left prorogued in 1732, and which, while the events of a religious kind we have been narrating were taking place in Scotland, was fruitful in nothing interesting to the historian. Endless debates, prolonged their sittings from week to week, but were productive of no useful results. Intrenched behind the circumvallations of office, and defended by numerous bands of pensioners and expectants, the minister pursued his favourite objects and bade defiance to all his opponents. In 1734, however, a motion for repealing the septennial bill was supported with so much spirit, as to induce his majesty to dissolve the parliament, which was done, and another convoked by proclamation on the sixteenth of April.

War was now raging on the continent, and the French, who had been the allies of Britain, paid so little respect to the faith of treaties, that in the month of November this year, an edict was published at Paris, commanding all British subjects, from the age of fifteen to fifty, who were not actually in employment, to quit the kingdom in fifteen days, or enlist in some of the Irish regiments, on pain of being treated as vagabonds and sent to the galleys. This cruel edict was executed with the utmost rigour. The prisons of Paris were instantly filled with the subjects of Great Britain, who, thus taken by surprise and cut off from all communication with their friends, must have, many of them, perished for want, had they not found unex-

* Willison's Fair and Impartial Testimony, &c. &c. pp. 27, 28.

pected resources in the charity of private individuals. Lord Waldegrave, at that time ambassador at the French court, made such remonstrances, however, that the prisoners were, in a short time, set at liberty, and a new edict was published, explaining away the meaning of the former one.*

After the most violent contests for seats, the new parliament was assembled on the fourteenth of January, 1785. In this parliament, the leaders of both parties were the same as in the last, and the measures pursued were of a similar character. The king, in his speech at the opening of the session, informed them "that he had concerted with the states-general of the United Provinces, such measures as were thought most advisable for their common safety, and for restoring the peace of Europe. That he had concurred with the states-general in a resolution to employ their most earnest instances to bring matters to a speedy and happy accommodation. That their good offices had been at length accepted, and, in a short time, a plan would be offered to all parties engaged in the war, as a basis for a general negotiation of peace." As the best concerted measures, however, are liable to uncertainty, he remarked, that they ought to be prepared against the worst; and expressed a hope, that they would not withhold the necessary means of procuring peace and tranquillity, or of putting him in a condition to act that part, which the course of events might render it his duty and the nation's interest to pursue. The opposition to any increase either of the sea or land forces was violent, but the minister at last carried every thing to his own wish.

A petition was on the thirteenth of February presented to the house of lords, subscribed by the dukes of Hamilton, Queensberry, and Montrose, the earls of Dundonald, Marchmont, and Stair, stating, that undue influence had been exerted in the late election of the Scottish peers. After considerable debate, the petition was rejected; the house refusing to go into the inquiry without stronger grounds for it being laid before them. An attempt was also made this session, to improve the law of Scotland, by introducing something similar to the English *habeas corpus*. The measure was strongly opposed by the earl of Ilay,

* History of England.

and the bill was rejected. On the fifteenth of May, the session was closed, when his majesty told them that the plan of pacification proposed by himself and the states-general had not been acquiesced in. He thanked the commons for the supplies they had so cheerfully granted, and signified his intention to visit Hanover; which he did shortly after, leaving the queen regent in his absence.

His majesty returned to England in the autumn, and parliament was again assembled on the thirteenth of January, 1736. The French king had by this time entered into negotiations with the emperor, and the supplies were voted without much debate; but his majesty was informed that a system of greater economy was expected in time coming, with regard to the maintenance of the troops.

The principal business of this session, was the famous gin shop bill, by which it was proposed to impose twenty shillings, exclusive of all former duties, upon every gallon of spirits, and that every retailer of them should pay a yearly license of fifty pounds. This uncommon severity was ostentatiously said to have in view the mending of the morals of the lower orders, who, in imitation of their superiors, and from the cheapness of gin, had become loathsomely profligate. This bill met with great opposition. The minister derived a great revenue from this profligacy on the part of the people, the West India merchants had by the same means a ready market for their rum and other spirits distilled from molasses, and they united interests to maintain their incomes. It was carried, however, with some limitations, by granting seventy thousand pounds to the minister, in lieu of the loss he might sustain from the want of consumpt in the article of spirits. A bill was also passed for the prevention of smuggling; one for explaining the act for preventing bribery and corruption in the election of members to serve in parliament; and a third repealing all the statutes, both in Scotland and England, against conjuration, witchcraft, and dealing with evil spirits. It was in this session of parliament that William Pitt, afterwards earl of Chatham, first began to be distinguished by the splendour of his eloquence, and the great superiority of his talents.

The session was closed on the twentieth of May, with a speech

from the throne, in which his majesty informed both houses, that a farther communication had been made to him by the emperor and by the most Christian king, respecting the execution of the preliminaries, and negotiations were carrying on by the several powers engaged in the late war, in order to a general pacification. He expressed deep concern at seeing such seeds of dissatisfaction sown among his people, for whom it was, and should ever be his great care to preserve the present constitution in church and state, as by law established. Harmony and affection among all protestants, he recommended as the most effectual security of that establishment, and concluded, by signifying his intention of again visiting his German dominions, which he soon after did, leaving queen Caroline, as on other occasions, regent.*

Universal licentiousness seems to have been the characteristic of this period, tumults of the most wanton and disgraceful kind being every where prevalent. They were all, however, lost sight of in one that this year, 1736, took place in the Scottish metropolis, which, all its attendant circumstances considered, was perhaps the most remarkable that ever took place under an organized government. This riot, which was of the most desperate and daring character, had its origin unquestionably in that disaffection to the government which was still too common in Scotland; but it was immediately excited by a circumstance, which a prudent administration would certainly have avoided, the public execution of a man, who, in general estimation, deserved to have been rewarded rather than punished. This individual had been, along with an associate, concerned in a smuggling adventure, and had fallen into the hands of a collector of the revenue, who seized the goods. The smugglers, in return, waylaid the collector, and robbed him of money to the amount of the value of the goods and no more, which they—and the most of their countrymen thought the same thing—supposed themselves, in a moral point of view, perfectly warranted to do. They were, however, both apprehended, tried, and condemned to death, though upon their trial, except being concerned in smuggling, and that act which was the conse-

* History of England, &c. &c.

quence of their being so, they were satisfactorily proved to be men of general probity.

The excise had from the first been hateful to Scotchmen, and the officers thereof were regarded with no pleasant feelings, and to put an honest man to death for taking from one of them what had previously been taken from him, was regarded by the people in general, as both wicked and absurd. But there was another circumstance that made the individual in question still more the idol of the multitude. On the Sabbath previous to the day appointed for their execution, they were both, as was then the custom, carried to church to hear sermon, when, being seated between three soldiers who had them in charge, the individual of whom we speak being a man of great bodily strength, laid hold of a soldier with each hand, and seizing the other with his teeth, held them all three fast till his companion made his escape and was by the multitude conveyed beyond the reach of the law. Having accomplished the deliverance of his friend, the unhappy man made not the smallest effort to regain his own liberty, but sat down quietly between his guards, apparently resigned to his fate.

The brilliancy of this action, the ease with which it seemed to be accomplished, and above all, its generosity, rendered the unfortunate man an object of universal admiration, and the magistrates fearing that an attempt would be made by the mob to rescue him on the day appointed for his execution, had some regular troops, at that time quartered in the suburbs, admitted into the city, and placed at some distance from the place of execution, that they might be in readiness to support the city guards in case of a rescue being attempted. The city guard was placed under the command of captain John Porteous, from his known character for ability and firmness, though it was not his turn to have commanded on that day, and he received three charges of shot for each man, and by special orders from the magistrates, every man loaded his piece before going upon that day's duty.

Notwithstanding of all this, the execution took place with little or no disturbance till the body was to be cut down, when a shower of stones from the mob, which did severe execution, so enraged the guard, that they fired off their pieces, and, as is

commonly the case on such occasions, killed several persons at a distance, who had no connexion whatever with what was going on among the mob. This disconcerted the mob for a few minutes, but scarcely was the corpse cut down, and the guard begun to march off by the West Bow, when the populace rallied, and again assailed it with a volley of stones, which the guard returned by dropping a fire, by which several were killed, and a number wounded. They, however, continued their march to the guard-house, and there repositied their arms with the usual military ceremony, the captain conducting himself all the while with the most perfect calmness and self-command. He immediately went up to the Spread Eagle tavern, where the magistrates were assembled, where he was charged with the murder of those that had been killed, both by giving orders to fire, and firing himself. That he had given orders to fire he flatly denied, and he presented his piece, which had never been out of his hand, as an evidence that he had not fired himself. He also stated that he had received but three charges from the magistrates, two of which were still in his cartouch box, and the third in his piece, which any person might see had not been fired. The magistrates adjourned from the tavern to the council chamber, whither they were followed by an immense and riotous mob, clamouring for justice upon the captain, whom, after a precognition, they committed close prisoner to the tolbooth till such time as his trial should come on.

Captain Porteous had been a soldier in Flanders, and after his return, had been drill-master to the city guard, in which capacity he behaved himself so much to the satisfaction of his superiors, that he was promoted to a captainship in the same guard. He appears to have been a man of considerable talent, to have been very efficient in his station, and respected by all, except the lower class of journeymen and apprentices, whose licentiousness he kept seasonably in check, on which account, at the same time that he was feared, he was by them mortally hated, and now that this affair furnished them with a plausible handle, they pursued their revenge, at the expense both of justice and humanity. During the time between his commitment and trial, it was dangerous for any one to speak one

word in his favour, or so much as to insinuate that he might be less guilty than was supposed, and in this state of public feeling, or rather madness, he was tried, found guilty of course, and condemned.

To every candid and considerate person, this sentence could not fail to be deeply affecting. There was every reason to suppose, that the city guard, composed of old veterans, proud of their military acquirements, were highly irritated at the regular troops being brought into the city, as they considered their own courage and conduct to be thereby called in question, and being trusted with loaded pieces by the magistrates, that they imagined they had a discretionary power to use them in their own defence, which it was quite possible they might do without the captain's order; and it appeared pretty certain, that the captain had not fired himself. Such, undoubtedly, were the impressions of the better sort of the inhabitants of Edinburgh, and of many gentlemen of the first respectability in the kingdom, a number of whom, drew up an impartial statement of all the facts of the case, with a petition to the queen, at that time regent, praying for mercy to the unhappy captain Porteous. The queen did not instantly pardon the unfortunate criminal, but she granted a reprieve for six weeks, till she might have an opportunity of inquiring more particularly, how far he was a proper object of her royal clemency.

No sooner was this circumstance made known to the public, than their indignation was aroused to the highest pitch, and it was openly declared, that the criminal should die, though the queen and all her minions had sworn to protect him. The day was even named on which this bloody purpose was to be executed. Nor was this language, and this fiery feeling confined to Edinburgh. It was general over the country, and every circumstance that could heighten it, was carefully narrated. So, it was said, did Bushel imbrue his hands in the blood of the citizens of Glasgow on the occasion of Shawfield's rabble, and so was he snatched out of the hands of justice, and for a reproach to the Scottish nation, promoted in the service of England; and so, it was said, it would ever be, till Scotchmen had the spirit to rise up, and with their own

hands, vindicate their injured and bleeding country, in the face of her arrogant and merciless oppressors.

The open manner in which this contemplated murder was talked of, and the unmeasured boldness of the language generally employed upon the subject, ought certainly to have called forth suitable preparations on the part of the public authorities for preventing it. But no such effect followed. The authorities either disbelieved that any such thing was in agitation, or they were willing for the sake of earning a little vulgar applause, rather to hazard the life of a poor unfortunate individual, than risk the vulgar reproach of having taken effectual measures, that the honour of the government and the majesty of the law should not be violated.

An attempt of such singular daring, was, to be sure, not a very likely event; yet on the Tuesday, the day previous to that upon which the unhappy captain Porteous was condemned to suffer, there was a concourse of so many strangers, particularly in the afternoon into the city, all apparently of the lower order, as ought to have excited the jealousy of the magistrates, and led them to take immediate measures for preventing what had been so openly threatened. This circumstance, however, does not seem to have been thought of till eight o'clock at night, when the West Port was seized upon, shut, and a guard placed upon it by the rioters. Having thus commenced, they seized a drum belonging to the suburb, which they had already shut out from the city, to the beat of which they proceeded up the Grassmarket, and along the Cowgate, till they came to the Eastern Gate, which they likewise seized upon, shut, and guarded. They then marched up the main street, and attacked the guard house, where they found only sixteen or seventeen men upon duty, with no higher officer than a sergeant. These, as might have been expected, made little if any resistance, but yielding up the guard house, hasted to shift for themselves. Having armed themselves with the arms belonging to the guard, the rioters proceeded directly to the prison, the door of which, they attempted to break open with sledges and fore-hammers, but in vain. They then had recourse to fire, and having burnt a hole through the door, the turnkey flung them the keys through it, with which they entered, went

up to the unhappy Porteous, who had attempted to hide himself, by climbing up the chimney, and dragging him down stairs by the heels, carried him to the place of execution, where they hanged him over a dyer's pole with a rope, which they had taken from a shop by the way, and for which they left the price, laid on the counter. One of the spectators interceded with the actors in this horrid tragedy to allow the unfortunate object of their vengeance as much time as to commend his soul to God by prayer, but received only insulting language in return. The mob remained with their victim till he was dead, and leaving him hanging, shifted each for himself, without further disturbance.

The acting of this brutal murder, occupied from eight o'clock, till about half an hour past midnight, the magistrates being the greater part of that time in a tavern in the near neighbourhood of the jail, without being able to do any thing towards suppressing the mob. Once, indeed, they went out to attempt it, but were attacked by the rioters with a shower of stones, and were glad to escape into the tavern with their lives. Guards they had in the city, but they were disarmed and dispersed; regular troops in the suburbs, but the rioters were in possession of the city gates, which prevented all communication with them. Their consternation, too, was so great, that what force they had, they wanted presence of mind to bring into action. So completely, indeed, were the magistrates paralyzed, that the body was not taken down till seven o'clock next morning.

"Next morning," says one, "all the thinking part of the community expressed their surprise at the boldness of the undertaking, as well as their sense of the monstrous barbarity of the action. People's conjectures were various about it, and not a few blamed the magistrates for want of conduct. Now that the bustle was over, every one could easily figure to himself the means that might have prevented it, which is very common in such like cases, though if these very judicious persons were to have the conducting of such an affair, the means which afterwards appeared so plain, might not perhaps have occurred to them more than to the magistrates."* It

* Life of John, Duke of Argyle, p. 310.

would not indeed be an easy matter to vindicate the magistrates from the charges of culpable negligence previous to the riot, and of imbecility during the time it was going on. Had they attended to the spirit of the time, they could easily have made such arrangements as would have rendered the success of such an attempt impossible; which, while it exalted their own characters, would have saved the metropolis of Scotland from what must remain an indelible blot upon her history.

This affair when made known in London, excited the utmost indignation, as it was evidently done in contempt of legal authority; and though it was determined to make the most severe inquiry into the conduct of all concerned, nothing was done for the present, the king being in Hanover; except that a reward of two hundred pounds was offered for any individual that had been concerned in the action.

His majesty having met with a severe storm in returning from Germany, in consequence of which, he was for some time indisposed, the parliament did not meet till the first of February, 1737, when it was opened by commission. The lord chancellor, as one of the peers authorized by this commission, made a speech in his majesty's name to both houses, in which he informed them, that the great work of re-establishing the general tranquillity of Europe was far advanced, yet common prudence called upon them to be very attentive to the final conclusion of the new settlement. He also expressed his majesty's great concern to observe the many contrivances and attempts carried on in different places of the nation, tumultuously to resist and obstruct the execution of the laws, and to violate the peace of the kingdom, which if not promptly suppressed, might affect private persons in the quiet enjoyment of their property, as well as the general peace and good order of the whole.

To prevent as far as possible the recurrence of these outrages, which of late had afflicted so many places of the nation, a bill was brought into the house of lords for punishing the magistrates and city of Edinburgh, on account of the atrocious murder of captain Porteous, which was insisted upon as a flagrant insult upon the government, and a violation of

the public peace, so much the more dangerous, as it was evidently concerted and executed with deliberation and decency. The magistrates, it was contended, had encouraged the riot, and it was proposed to take away the city charter, to declare the lord provost incapable of ever holding any place of public trust, to demolish the Nether Bow Port, and to take away the city guards. In consequence of these proposals, it was resolved, that the magistrates and other persons from whom they might obtain the necessary information concerning this riot, should be ordered to appear at the bar of the house, and that an address should be presented to his majesty, desiring that all papers relating to the murder of captain Porteous, might be submitted to their lordships. Those documents being accordingly examined, and all the witnesses arrived, among whom, with the magistrates of Edinburgh, were three of the Scottish judges, who were under the necessity of appearing in their robes at the bar of the house of lords, the whole house seemed to be agreed in passing the bill, with the exception of Argyle and Ilay, the former of whom, made a long speech in defence of the city, in which his lordship observed, "that great zeal had appeared in this house to pass this present bill into an act, which is to affect a person whose only crime seems to have been, that he was unfit for a trust that requires an active and vigilant man, and against the citizens of Edinburgh, who are only guilty of not foreseeing what it was impossible for them to have foreseen; and yet my lords, no bill has been brought in, to bring the persons who have been guilty of that barbarous murder to justice.* These, my lords, ought to be the immediate objects of the resentment of this house, for where such desperate enthusiasts are harboured, no state can be secure of its peace, and no private person of his property. Great insinuations, my lords, have been made, that this and many other tumults that have frequently happened in the united kingdom, have been owing to the oppression of the magistrate. For my part, my lords,

* What prodigious nonsense great men and great orators will sometimes talk! Could his Grace of Argyle have discovered these murderers, the existing laws would have been found amply sufficient for punishing them.

I have heard of no particular acts of oppression, and I believe I may venture to say, neither has any of your lordships, as we must all have done, if any such had been. But, my lords, can riots proceed from no other cause but from oppression in the magistrate? Have people no other motives to rebellion but the suggestions of despair? I believe, my lords, we may find from the history of past times, that they have always had, and from the experience of the present, that they still continue to have other motives.

“ This riotous and rebellious spirit of theirs does not proceed from any oppression of the governors or civil magistrates of that country, as has been strongly insinuated, but from a few fanatical preachers lately started up in that country, who, by their sermons and other ways, instil into the minds of the vulgar and ignorant such enthusiastical notions as are inconsistent with all government, by making sedition and rebellion a principle of their religion. From this cause, I am inclined to think, the tumult at Edinburgh proceeded, and to this is owing that ill judged fidelity of the guilty toward one another, by which the secret before the execution was made impenetrable, and by which the discovery of the persons concerned has since been rendered impossible. But of the inhabitants of Edinburgh, I am convinced, there are very few tainted with these principles, because they seldom or never bear such doctrine.”*

A more false, or a more pernicious speech has seldom been uttered in any assembly, than the above by his grace of Argyle. The clergy of all descriptions were innocent of the murder of captain Porteous; and if any portion of them was more innocent than another, it was the seceders, whom his grace must have had an eye upon, and an intention to render odious to the government, when he described them as a few fanatical preachers, lately started up. So far from being men of that description, they were among the oldest and most venerable of their order, men of excellent plain sense, of the most approved loyalty, and highly respected among the best and most judicious of their brethren. The speech, however, had its effect, not in staying the bill, but in bringing forward an absurd clause

* Life of John, Duke of Argyle, pp. 316, 317.

for discovering the actors in the murder of captain Porteous, which, as a punishment for their insinuated fanaticism, all the ministers of Scotland were ordained to read during the time of divine service, on the first Sabbath of every month, for a whole year,* under the penalty of being declared incapable of sitting or voting in any church judicatory, which was to be executed against them by the civil judges of Scotland. This act became a sad snare to the church of Scotland, and involved her still deeper in the trammels of state, which had already fettered her energies, and given a cast to her movements, that had much more of the aspect of an earthly kingdom, than of that which has been declared not to be of this world.

After going through the commons, where it met with con-

* "The most part of ministers in many synods and presbyteries, tho' they scrupled not to condemn the outrageous insult of the mob as murder, yet they had not freedom to read the said act, because they judged the penalty foresaid to be properly a church censure, seeing by it ministers would be divested of the power of church government and discipline, which is given them by the Lord Jesus Christ, the head of the church, and is as essential to their office as preaching or dispensing the sacraments. Now, for the civil magistrate to assume the power of the keys, or, of inflicting church censures, which Christ hath put in the hands of his own officers, they judged a manifest encroachment upon Christ's headship over his church, and contrary to the word of God, and the confession of faith they had subscribed, chap. xxx. par. 1, 2, and chap. xxiii. par. 3. And for ministers to become the magistrates' heralds, to proclaim this law upon the Lord's day in such a solemn manner, would be an homologating of this encroachment, and a consenting to this erastian power of the magistrate. Likewise they judged, to approve or concur with a law so prejudicial to the doctrine and discipline of this church, as established by laws civil and ecclesiastical, would be to give up with fundamental securities, and act contrary to the solemn engagements ministers come under to maintain the doctrine and discipline of this church, and do nothing prejudicial thereto. Besides, they did not think it agreeable to the office of those who were *ambassadors of the gospel of peace*, to become heralds or executors of this or any sanguinary law; especially when they apprehended there were several things in it inconsistent with justice and equity, besides the erastian penalty aforementioned. These and other arguments set in a clear light in several pamphlets published at that time, determined us to join with those who bore testimony against the reading of the foresaid act, and to run the hazard of all its penalties. And we wish the light of all the ministers of Scotland had been the same with ours in this matter, which would have prevented much division and stumbling that different practices have occasioned."

—Willison's Fair and Impartial Testimony, p. 88.

siderable opposition, the bill was returned to the lords, and passed with some alterations; the city was left in possession of her charter, of her gates, and of her guards; but the lord provost was declared incapable of holding any office, a mulct of two thousand pounds was imposed upon the city for the use of captain Porteous' widow,* and some clauses for discovering the persons concerned in the murder were added, all of which were unavailing, no one of these murderers ever having been found out.

The General Assembly of the church of Scotland, was convened at Edinburgh on the twelfth day of May, 1737. The Rev. Niel Campbell, principal of the college of Glasgow, moderator, William, marquis of Lothian, being again commissioner. It might have been expected that this assembly would have done something to vindicate the Scottish church from the scandalous aspersions that had been thrown out against her ministers, and the glaring encroachment that was at this very time making upon her liberties by the British parliament, respecting the affair of captain Porteous; but alas! the few feeble efforts she had made at reformation were already at an end; the moderates ashamed of any appearances to that effect in the three last assemblies, and roused by the insinuations and the taunts of parliamentary orators, had mustered all their strength, and the feeble constitutionalists were at once flung back into a state of real insignificancy, from which they have never, with one or two solitary exceptions, to this day been able to emerge.

It had been declared by the late assembly, to be, and always to have been a principle of the Scottish church, that the pastoral relation between a minister and a congregation could not be warrantably established without the consent of the congregation. The same assembly, however, over the belly of their own act, had appointed the presbytery of Stirling to proceed to the settlement of Denny, though the whole congregation was reclaiming. This order, the presbytery, trusting to the general principle, had ventured to disobey, and a complaint from an heritor or two, probably non-residing ones, brought the

* The widow was prevailed upon to accept of £1500 in full of the £2000 voted her by the parliament.

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affair again before the assembly, which appointed a committee
of twenty-one members, "to propose a proper overture on
the whole affair, for maintaining the authority of the General
Assembly of this church, in a manner most consistent with
peace and edification."

This overture was brought in next day, "and by a vote
approved, whereby the assembly declare their dissatisfaction
with the conduct of the presbytery of Stirling, in neglecting
or refusing to obey the appointment of the assembly, 1736, and
do again order and enjoin that presbytery to proceed to the
trial and settlement of Mr. James Stirling, as minister of
Denny, and finish the same, before the first of September next,
as they will be answerable to the next assembly, and in case he
be not then actually settled, the synod of Perth and Stirling
are appointed, at their meeting in October next, to take him
upon trial, and proceed so as to finish the settlement before
the first of March next, providing that it shall not be lawful
for the synod to put any question, whether they shall obey this
appointment, but that any ten or more ministers thereof do
proceed as above directed, whether any others of the synod
concur with them or not, or notwithstanding that others, or
even the greatest part then present, should oppose the execution
of this act; and in case the synod or such number of them as
above mentioned, shall not before the first of November next,
enter upon trial the said Mr. Stirling, or before the first of
March next finish the same, the assembly empower a special
commission of this General Assembly to convene at Edinburgh,
in the Old Kirk Isle, on the third Wednesday of November or
March, respectively, with power to adjourn themselves as they
shall think fit, in order to take trial, and ordain Mr. Stirling
as minister of Denny; and Mr. Stirling is ordered to present
himself before the presbytery of Stirling at their meeting in
June next, or before the synod, or special commission at
Edinburgh, respectively, in order to undergo his trial, and that
the application of himself, or of any heritor or elder of Denny,
to the synod, or moderator of the commission, representing
that the presbytery or synod have not ordained or taken him
upon trial, shall be sufficient evidence, whereupon the synod
or special commission are to proceed, as above directed, and

the presbytery, synod, or foresaid commission, [are] to endeavour to persuade the parishioners of Denny to submit to Mr. Stirling's ministry."

The members of this special commission were afterwards named, "any seven to be a quorum, five of them being ministers, with power to cause Mr. James Stirling to be enrolled in the presbytery books, and the presbytery clerk ordered to attend with the books at Denny, the day of the ordination, and upon application to either of the clerks of assembly, that they send letters to convene the committee."*

Many other arbitrary and cruel settlements were made by this assembly, though not all equally glaring as the above, viz. at Perth, Duffus, Monikie, Madderty, &c. &c. in all which cases, presentations and heritors were considered every thing, the congregations nothing, yet, apparently ashamed of the decision of the late assembly with regard to professor Campbell, they passed and printed an act explanatory of the former one, wherein, "for satisfaction to all concerned, this assembly does declare, that as the last assembly, in their act, say, that they gave no judgment or formal sentence upon the report of the committee, and therefore could not be constructed to adopt any of his [Campbell's] expressions; so this assembly do steadfastly adhere to the doctrine of our church upon that head, expressed in our standards, particularly in the answers to that question in our Shorter and Larger Catechisms, "What is the chief end of man?" They also recorded the dissent of some members from the decision respecting the parish of Denny, and of George Gillespie, in the case of Madderty; but they made a reference to the commission, to prepare an overture for the next assembly, to be transmitted to presbyteries, for determining whether such dissents should be recorded or not †

The principal thing that occupied the attention of the public at this time, was an open breach in the royal family. The princess of Wales had advanced to the last month of her pregnancy, before the king and queen were informed of her

* This might be maintaining the authority of the assembly; but there was not surely one member of that assembly so deplorably stupid, as to suppose that it was consistent either with peace or edification.

† Acts of Assembly, 1737.

being with child. She was twice conveyed from Hampton court, to the palace of St. James', when her labour pains were supposed to be approaching, and at length was delivered of a princess in about two hours after her arrival. The king being apprized of this event, sent a message by the earl of Essex to the prince, expressing his displeasure at the conduct of his royal highness, as an indignity offered to himself and the queen. The prince deprecated his majesty's anger in several submissive letters, and implored the mediation of the queen. This mediation, however, he failed to obtain. Her majesty died of a mortification in her bowels on the twentieth day of November, 1737, in the fifty-fifth year of her age, and the prince was not even admitted in her last moments to see her, to express his duty to her, to implore her forgiveness, and receive her last blessing.

The session of parliament was opened on the twenty-fourth of January, 1738, by his majesty in person, with a short speech, recommending the despatch of the public business with prudence and unanimity. Each house presented him an affectionate and tender address, on the death of the queen, with which he appeared to be greatly affected. Violent debates, as usual, filled up the time of this, as of several former sessions, of which the army, and the depredations committed on British commerce by Spain, formed the principal topics. The session closed on the twentieth of May, with an assurance from his majesty, that he would make the most pressing instances at the court of Spain, in order to obtain satisfaction and security to his subjects.

The General Assembly of the church of Scotland, was this year convened on the eleventh day of May, the Rev. James Ramsay, minister of Kelso, moderator, William, marquis of Lothian, commissioner. Many arbitrary decisions, with regard to the settlement of parishes were, as usual, given forth by this assembly; but the principal business that came before it, was "A representation from the synod of Perth, and instructions to the synod of Fife, concerning the disorderly practices of certain seceding ministers from this church," upon which the assembly, after deliberating in a committee of the whole house, came to the following deliverance, copies whereof, they ordered

to be "printed, and sent to presbyteries, and distributed to members of this assembly."

"The General Assembly taking into their serious consideration the representations and complaints laid before them concerning Messrs. Ebenezer Erskine, at Stirling, William Wilson, at Perth, Alexander Moncrief, at Abernethy, and James Fisher, at Kinclaven, within the bounds of the synod of Perth and Stirling; also concerning Messrs. Ralph Erskine, at Dunfermling, Thomas Mair, at Orwel, and Thomas Nairn, at Abbots-hall, within the bounds of the synod of Fife, ministers ordained within this national church, and admitted to their respective charges by the judicatories thereof, who have, notwithstanding, seceded from the communion of this church, and made a positive separation therefrom. AND THE assembly having too good reason to believe from these representations the notoriety of the facts; and from the personal knowledge of many of the members of this assembly, THAT the said ministers have seceded from this church without any justifiable grounds, and are continuing in their unwarrantable secession, notwithstanding their own solemn engagements to the contrary at their ordination and admission, the clemency showed them in the year one thousand seven hundred and thirty-four, and the tenderness to all of them ever since. That albeit, their parochial charges are discontiguous, and at a considerable distance from one another, yet they have assumed a power of associating and erecting themselves into a presbytery, and of exercising a judicial presbyterial power, not only over their own congregations, but also over the whole church—a power to which never any presbytery duly constituted in this church could, or did lay claim. That as a presbytery, and in a pretended judicative capacity, they have framed and published to the world, a printed paper called their *Act, Declaration, and Testimony*, and have emitted other papers, wherein they have pretended not only to assign the grounds of their own unreasonable and irregular conduct, but also, with the air of a paramount power and authority, to condemn this church and the judicatories thereof for their proceedings, and to cast many groundless and calumnious reflections upon her and them. That not confining themselves to their own congregations and particular charges, they dispense

the ordinances to persons of other congregations, without the knowledge and consent of the ministers to which they belong; and have taken upon them, in some of these congregations, to ordain elders. And to promote their dangerous schism, they not only receive at their presbyterial meetings such persons of whatsoever character as will accede to them from other congregations, but also the reasons of their accession, containing injurious calumnies against this church, and the ministers thereof. And that nothing may be wanting to promote their end, they appoint and keep fasts in different corners of the country, to which there is a resort of several thousands of persons of both sexes,* and too many of them, there is good ground to think, come there with other views than to promote religion; and by these practices, their proper ministerial work, in their own parishes, is in a great measure neglected. And that their schism may not die with themselves, that they have authorized one of their number to teach divinity, and have taken some persons under probationary trials for the ministry. THE GENERAL ASSEMBLY DID, and hereby do unanimously resolve, declare, and enact, That although upon these and other such accounts, this church might now proceed in the due exercise of discipline, to appoint these seceding and separating brethren, and their followers, to be proceeded against and censured according to the demerit of their faults; yet this assembly, choosing rather still to treat them in the spirit of meekness, brotherly love, and forbearance, did, and hereby do enjoin all the ministers of this national church, as they shall have access, and especially the ministers of the synods and presbyteries within which these seceding brethren reside, to be at all pains, by conference and other gentle means of persuasion, to reclaim and reduce them to their duty, and the communion of this church, and all presbyteries

* Much senseless ridicule has been poured out upon seceders on the head of promiscuous *dancing*; what would the assembly itself have said, had they also declared against promiscuous hearing? The insinuation contained in this sentence is indeed highly discreditable to the Assembly, and cannot be read without pain by every lover of the Scottish Church. So have impious men spoken of the assemblies of the people of God in every age, and by such calumnies have all persecutors attempted to palliate and to vindicate the most tyrannical and wanton butcheries.

and synods to report their diligence and success, and what they can learn or observe concerning the future behaviour of these brethren, to the commission to be appointed by this assembly, at any of the diets thereof, WHICH COMMISSION is hereby authorized and appointed to take such reports or representations, with those already made to this assembly, under their consideration, and if they shall see cause, to take all proper steps and methods for duly sisting the separating brethren above named, before the next assembly, to answer for their irregular conduct, and all the parts thereof. And the said commission is also empowered to do what they shall think proper, to prepare and ripen the case for the decision of that assembly. AND IN THE MEAN TIME, the General Assembly earnestly recommends to all the ministers, elders, and members of this church, to endeavour, in their respective stations, and by all means proper for them, to reclaim these poor deluded people who have been carried away by this division, and to prevent the seducing of others, and the increase of this schism, which is so dangerous to the peace of this church, so contrary to the spirit of the gospel, so very hurtful to religion and serious godliness, to Christian charity and brotherly love.”*

In obedience to the injunctions of the assembly, the commission proceeded to ripen the case, by framing a libel against each of the seceding brethren, which was duly served upon them individually, with a citation to appear before the next assembly, to meet at Edinburgh the tenth day of May, 1738 years, within the assembly house there, in the hour of cause, with continuation of days, &c.

Accordingly the assembly met, May the tenth, as above, the Rev. James Banatyne, one of the ministers of Edinburgh, being chosen moderator, John, earl of Hyndford, commissioner. A motion was made on the fourteenth, by the moderator of the commission of the late General Assembly, for taking under consideration the act passed by the said assembly, with respect to certain ministers who had made a secession from this church, with the said commission's proceedings in pursuance of the said act, &c. The consideration of this affair, and all the papers re-

* Acts of Assembly, 1738.

lating thereto, was remitted to a committee of the whole assembly, which committee reported, "that they had met, and had deliberated upon the case of the seceding ministers, but had no particular opinion to offer." The committee was appointed to meet to-morrow, to consider farther of this affair. Upon the sixteenth, the "report and opinion of the committee of the whole assembly, viz. that this General Assembly should proceed upon the libel transmitted from the commission of the late General Assembly against the seceding ministers," was approved, and the assembly resolved to proceed accordingly. Against this resolution, Mr. John Willison of Dundee next day entered his dissent, which was adhered to by four ministers and two elders; which dissent was marked, and their reasons ordered to lie *in retentis*. On the eighteenth the seceding ministers were called, when they all compeared as a constituted presbytery, and declining to accept the amnesty offered them, the libel containing the charges against the said ministers was read, "being in substance their secession or separation from this church, their erecting themselves into a presbytery, their emitting an act, declaration, and testimony, condemning this church and judicatures thereof, leaving their own parishes, and dispensing ordinances to persons of other congregations, ordaining elders, appointing fasts in different corners of the country, taking some persons under probationary trials, and licensing one or more to preach the gospel, with the particular acts of offence under the above general heads, and other enormities more fully mentioned in the said libel."* When the reading of this libel was finished, Mr. Thomas Mair, as moderator of the presbytery, read and gave in a declinature, which they had passed into an act on the preceding day, to which, when each of them had declared his adherence, they in a body withdrew.†

* *Vide* Index to Unprinted Acts of Assembly, 1759.

† This declinature was intituled, "Act of the Associate Presbytery, finding and declaring that the present judicatories of this church are not lawful nor right constitute courts of Christ; and declining all authority, power, and jurisdiction, that the said judicatories may claim to themselves over the said presbytery, or any of the members thereof, or over any that are under their inspection; and particularly declining the authority of a General Assembly

The assembly, without any regard to the declinature of the seceding brethren, “ named a committee to consider the process as it now stands, and prepare an overture as to the assembly’s further procedure therein,” which overture was on the nineteenth of May turned into an act, as follows :—“ The General Assembly having considered the libel drawn up by the commission of the last assembly, and executed in pursuance of an act of the assembly, against Messrs. Ebenezer Erskine at Stirling, William Wilson at Perth, Alexander Moncrief at Abernethy, James Fisher at Kinclaven, Ralph Erskine at Dunfermline, Thomas Mair at Orwel, Thomas Nairn at Abbotshall, and James Thomson at Bruntisland, ministers, together with the appearance of the said defenders before this assembly, and that after the moderator, in name of the assembly, had signified to them, That though they were called here to answer to a libel, the assembly were very loath to be obliged to proceed upon it, and that, if the said defenders would now show a disposition to return to the duty and obedience they owe to this church, the assembly was ready to forgive all that was past, and to receive them with open arms. The said defenders, instead of accepting or being thankful for such lenity, produced and offered to read as their answer, a paper, entitled, *Act of the Associate Presbytery, finding and declaring that the present judicatories of this national church are not lawful nor right constitute courts of Christ, and declining all authority, power, and jurisdiction that the said judicatories may claim to themselves over the said presbytery, or any of the members thereof, or over any that are under their inspection, and particularly declining the authority of a General Assembly now met at Edinburgh, the tenth of May, 1789.* Upon which, the assembly caused the said libel to be read, and then permitted the said defenders, by the said Mr. Thomas Mair, who spoke as the mouth of them all, to read the said paper, and thereafter to give in the same, to which all the defenders declared their adherence, whereupon they were ordered to withdraw, after being directed by the moderator to attend, when they

now met in Edinburgh, the tenth day of May, one thousand seven hundred and thirty-nine years;” and contains a reiteration of all these charges which we have already noticed in their previous papers. It is to be found at large in Acts of the Associate Presbytery, printed at Glasgow, 1776, pp. 129—143.

should be again called upon by the assembly. And they having been this day again called, and not compearing, the General Assembly found, and hereby find the said libel relevant to infer deposition, and do find the same also proven in its most material articles, by the said paper produced by them as aforesaid. And particularly finds it by the said paper, proved that the said defenders have seceded and separated from this church, and have taken upon them to associate themselves into a presbytery, and, as such, have framed and published, and do adhere to the pretended act, declaration, and testimony libelled, wherein they endeavour to assign the grounds of their unreasonable and irregular conduct, and take upon them to condemn this church and the judicatories thereof for their proceedings, and to cast many groundless and calumnious reflections upon her and them. And further, find that the said defenders, by the paper given in to this assembly, have had the unparalleled boldness to appear before the highest judicatory of this church, to which they had vowed obedience, and instead of answering for themselves, as pannels or defenders at the bar, pretended to appear as a separate, independent, and constituted judicatory, and to read or pronounce an act of theirs, condemning this church and the judicatories thereof, upon several groundless pretences, and to decline the authority of the same, and that they have further, in presence of the assembly, by their said paper, taken upon them to speak in most injurious, disrespectful, and insolent terms concerning the highest civil authority. Therefore, the General Assembly do find, and declare that the said defenders, for the offences so found relevant and proven, do justly merit the highest censures of this church, and particularly that of deposition. But in respect, that in this assembly, before they proceeded to call the said defenders, an inclination had been expressed by several members not to proceed to a final sentence against them at this time, but to forbear the same yet another year, in order to give them a further time to return to their duty, and to render them still more inexcusable if they should persist in their unwarrantable separation, and though, from their behaviour at their appearance, and the paper given in by them, there is little hope left of their being reclaimed to their duty; but they seem determined to continue in their most

unwarrantable and schismatical courses, and as far as in them lies, to ruin and destroy the interests of religion in this church, this assembly have thought fit to forbear inflicting the just censure upon them at this time, and to refer the same to the next General Assembly, to which this assembly do earnestly recommend to inflict the censure of deposition without further delay, upon such of the said defenders as shall not betwixt and that time, either in presence of the commission to be named by this assembly, or of the ensuing General Assembly, retract the said pretended act and declinature, and return to their duty and submission to this church. And the assembly farther recommend to all the members of this assembly, and particularly such of them as shall be members of the next assembly, there to urge and insist for their compliance with this recommendation, which this assembly cannot allow themselves to doubt will be granted, as it will then be absolutely necessary for the interests and credit of this church, that the foressaid censure be pronounced and inflicted against such of the said defenders as shall then be persisting in their separation. And in respect the said defenders have not appeared, though called this diet, the assembly order their commission to cause cite them again to appear before the next assembly, to abide the judgment thereof, upon the said libel and the said paper given in by the defenders, instead of an answer, to which assembly the said libel and process is hereby continued and referred as above; and as to one of the defenders, Mr. James Thomson, minister at Bruntisland, who was not contained in the act of the last assembly, the General Assembly, without determining on the objection offered by his parish to the citation of him, did agree and resolve that their commission do cite him, *de novo*, to answer to the next assembly for the matters contained in the said libel and paper, given in by him and the other defenders. And to the end the like schismatical and divisive courses which have so much disturbed the peace and quiet of the church, and of the country, and are so very contrary to serious religion and godliness, may be for hereafter effectually discouraged and prevented, the General Assembly ordains all presbyteries and synods strictly to observe the sixth act of the assembly, 1708, intitled, *act for suppressing schisms and disorders in the church*,

by which it is strictly enjoined and peremptorily appointed that all the presbyteries and synods take particular notice of all their members, preachers, or others, under their inspection; and if they find any ministers or others to fall into irregularities or schismatical courses, that they duly call them to an account, and censure them according to the merits of their fault, even to deposition of ministers and elders, and to apply to the commission for their advice, as they shall see cause. And, without derogating from the generality thereof, the assembly ordains all presbyteries to whom any minister shall presume to give in a secession or separation from this church, forthwith to give notice thereof to the moderator of the commission of assembly for the time, and to instruct the members of their presbytery, who shall be members of such commission, to ask the opinion and direction of that commission at their first diet, after offering such secessions, to the end that if such presbyteries cannot in the meantime prevail with the brethren, who shall so presume to secede, to retract their secession, such brethren may be forthwith proceeded against according to the above act of assembly; and what opinions and directions of the commission for the time, as presbyteries shall receive, agreeable thereto, these presbyteries are hereby strictly enjoined to follow the same. And in case any presbytery to whom such secession or separation shall be given in, shall fail in their duty in the premises, the assembly ordains the synods within whose bounds they may lie, without delay, to do therein as they shall think fit, agreeable to the above act of assembly. And in case such synod shall fail in their duty, the assembly ordains the commission to be appointed by this assembly to take such matters into their own cognizance; and in all such cases, the presbyteries, synods, or commission to be appointed by this assembly respectively, if they cannot quickly reclaim such seceding brethren, are hereby ordained to proceed against them by way of libel, to the sentence of deposition. And the assembly appoints that a short state of the proceedings of the judicatories of this church, with relation to the foresaid ministers, setting forth the gentle methods used for reclaiming them, and their undutiful behaviour to this church, be drawn up by a committee to be named for that effect, and printed, and copies thereof to be

transmitted to each presbytery; and that all the ministers of this church shall be careful to exhort the people, both publicly and privately, to guard against all divisive courses, and *to keep the unity of the spirit in the bond of peace*, as they would consult the true interests of serious religion and the quiet of their country."^s

Here the Assembly might safely have rested. It was evident, from the first rash act of the commission in 1733, that without some healing measures on the part of the judicatories, an irreparable breach had been opened. Measures of that kind had been adopted, but they wanted consistency, and now it was obvious that there could be no reconciliation without conceding something on both sides. One side considered themselves in possession of right, and had the popular voice in its favour—the other possessed authority, prescription, and the most wealthy, though probably not the most enlightened or pious part of the community, and of course neither could be expected to yield. Influenced, in all probability, by the opposition that it was evident they had now to struggle with, this assembly removed one ground of general complaint, they provided, "that when any presbytery or synod of this church shall decline to comply with the sentences of the commission, or to give the same a full execution, in that case the commission is hereby prohibited to execute the same, by appointing any such correspondent meetings as has been the practice of late, but shall allow the same to lie over to the ensuing assembly, to which such presbyteries and synods shall be answerable for such their conduct, and are hereby appointed to send up with their commissioners their reasons for the same." The assembly also instructed the commission "to make due application to the king and parliament, for redress of the grievance of patronage, in case a favourable opportunity for so doing occur during the subsistence of the commission."

This assembly, which enjoined so warmly the deposition of the seceders by the next assembly, took off, by a very curious act, the sentence of deposition, that had been passed upon Mr. John Glass, who had adopted many peculiar views, and of

whom we have already made mention as the founder of a sect still known by his name. These peculiar views this assembly did not think "inconsistent with his being a minister," they accordingly restored him to the "character of a minister of the gospel of Christ;" notwithstanding of which, they declared "he was not to be esteemed a minister of the established church of Scotland, or to be considered as capable of being called and settled therein," till he shall renounce these peculiar views.* If he was assured, however, that he was a minister of the gospel of Christ, it could affect him but little whether he was acknowledged a minister of the church of Scotland or not.

The assembly was again convened on the eighth of May, 1740; the Rev. George Logan, one of the ministers of Edinburgh, moderator, John, earl of Hyndford, commissioner. On the motion of the moderator of the last assembly, the court proceeded, on the twelfth, to consider the recommendation of last assembly, concerning the seceding brethren: and on the fifteenth, finished that long continued process, by solemnly deposing them from the office of the holy ministry, in the following terms:—"The General Assembly, pursuant to their resolution of the twelfth instant, resumed the consideration of the process against the eight seceding ministers, and having caused them to be again called, and none of them appearing, nor any person for them, the assembly caused to be read the minute of their proceeding in this affair on Monday last, and also that of the last assembly of May nineteenth, 1739, and then proceeded to consider, whether, upon the libel found relevant to infer deposition, and proven as to its most material articles, by the last General Assembly, against the whole ministers therein named, and again found relevant and proven by this assembly, in so far as concerns Mr. James Thomson, upon the new libel executed against him, in pursuance of the said act of the last assembly, this assembly should proceed to inflict the said censure of deposition, and after full reasoning upon the expediency thereof, and prayer to God for direction how to judge in this weighty affair, and for his blessing on such decision as the assembly should come to, it was agreed to put

* Index to Printed Acts of Assembly, 1739.

the question, Depose or not? And rolls being called and votes marked, it carried by a very great majority, depose. And, therefore, the General Assembly, in respect of the articles found relevant and proven against the persons therein and hereafter named by the last and this Assembly, as aforesaid, DID, and hereby do, in the name of the LORD JESUS CHRIST, the sole king and head of the church, and by virtue of the power and authority committed by Him to them, actually DEPOSE Messrs. Ebenezer Erskine at Stirling, William Wilson at Perth, Alexander Moncrief, at Abernethy, James Fisher at Kinclaven, Ralph Erskine at Dunfermline, Thomas Mair at Orwell, Thomas Nairn at Abbotshall, and James Thomson at Bruntisland, ministers, from the office of the holy ministry, prohibiting and discharging them, and every one of them, to exercise the same, or any part thereof, within this church in all time coming, and the assembly DID, and hereby DO DECLARE all the parishes or charges of the persons above named, vacant, from and after the day and date of this sentence, and ordains copies hereof to be sent to the several presbyteries of Stirling, Perth, Dunkeld, Dunfermline, and Kirkcaldy, and the said respective presbyteries are hereby ordered to send copies hereof to the kirk sessions of Perth and Dunfermline, and session clerks of the other respective parishes hereby declared vacant, to be communicated to the elders. And the assembly appoints that letters be wrote by their moderator to the magistrates of the respective burghs concerned, with copies of this sentence, and the assembly recommends to the presbyteries within whose bounds the parishes or charges now declared vacant do lie, to be careful in using their best endeavours for supplying the same during the vacancy, and for promoting the speedy and comfortable settlement thereof.*

From this sentence fifteen ministers and four elders entered their dissent, and their reasons were ordered to lie *in retentis*, and it was referred to the commission to determine in any process for the speedy settlement of any of the parishes vacant by the sentence deposing the seceders.

There was laid before this assembly an appeal from a sen-

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From this sentence fifteen ministers and four elders entered their dissent, and their reasons were ordered to lie *in retentis*, and it was referred to the commission to determine in any process for the speedy settlement of any of the parishes vacant by the sentence deposing the seceders.

There was laid before this assembly an appeal from a sen-

tence of the synod of Lothian and Tweeddale, laying aside a call by four heritors and three heads of families of the parish of Currie, to Mr. James Mercer, minister at Aberdalgie, to whom the magistrates and council of Edinburgh had given a presentation to be minister of that parish, with a reference by the said synod to the assembly as to some objections offered against the town of Edinburgh's right to the patronage of Currie, which being heard, the assembly agreed, "that there is sufficient evidence to infer that the city of Edinburgh have been, and are in possession of presenting as patrons of the parish of Currie;" and they appointed a committee "to confer with parties, and prepare an overture touching the comfortable settlement" of that parish. This committee brought in a report, which, after some amendments, was approved, whereby "the assembly declare, that in respect of the difficulties attending the call to Mr. Mercer to the parish of Currie, they cannot proceed to settle him in that parish while these difficulties remain." The difficulties were, that the whole parish was in opposition to him, four heritors and three heads of families excepted, which in many cases would have been very easily surmounted; but Mr. Mercer was an obnoxious member,* the victim of his own zeal. He it was who first moved a censure upon Ebenezer Erskine in the synod of Perth, and, of course, to him were imputed all the evils, real and supposed, that had flowed from that measure, which at once accounts for the little countenance he met with in the assembly. But this assembly went still farther than to discountenance an obnoxious brother; they recommended it to the magistrates of Edinburgh to allow the parish of Currie a leet of six to choose upon, and to bestow the presentation on him who should have the majority of heritors and elders. This recommendation the magistrates of Edinburgh had the good sense to comply with, and the parish of Currie was comfortably settled. Against this moderate sentence, however, Mr. George Gillespie, Mr. William Thomson, and Mr. Gordon of Ardoch, entered a dissent. In other cases of the same kind, particularly in the cases of Tranent and Ceres, the decisions of this assembly were, as usual, highly unfavourable to the rights of the Christian people.*

* Printed and Unprinted Acts of Assembly, 1740.

The insolence of the Spaniards had been for a number of years a source of perpetual complaint to the people of Great Britain, and the pacific disposition of the minister was at last obliged to give way to the popular feeling, and he condescended at length to issue letters of marque and reprisals against the ships of that nation. France, it was evident, would join issue with the Spaniards, and the states general, though they could not well avoid furnishing to Great Britain the succours stipulated by solemn treaties, declared that they would observe the strictest neutrality; but the nation, in general, was full of confidence, and prepared to meet the tempest with the most cheerful alacrity. The minister, seeing no alternative, prepared to take advantage of the state of public feeling, by which he was amply seconded in his preparations, and the opening scene of the war was more brilliant than he probably either expected or desired. One of the most determined adversaries of the pacific system of Walpole was admiral Vernon, a blunt, but bold and free speaker, who having stated in the house of commons how easily some of the Spanish possessions in the New World might be captured, was appointed to the command of a squadron in the West Indies, with the intention, it has been generally said, of bringing him, from being unable to surmount the difficulties that lay in his way, to repent of his vaunting speeches. If such, however, was the minister's intention, he was completely disappointed. Vernon, without losing a moment, sailed directly for Porto Bello, which he took with a force of only six ships, and demolished the fortifications, sending home the cannon which had been mounted upon them as trophies of victory. This exploit filled the whole nation with the most extravagant joy, and excited hopes which in the nature of things could never be realized, and consequently were the precursors of the most miserable disappointment.

The ensuing winter, 1739-40, was one of uncommon severity, and subjected the mass of the people to almost unprecedented privations. An excessive frost set in upon the 24th of December, which continued to the 20th of February, during which every kind of out-door, and the greater part of in-door labour was of necessity entirely suspended. The Thames was frozen over so strongly, that a multitude of tents were erected upon it,

in which the populace were entertained as if in the streets of an overflowing city. The product of the preceding harvest was much of it destroyed by the excessive cold, which was so extreme, that many persons were chilled to death by it; and the calamity was the more grievous, that fuel, from the entire stop put to river navigation, could not be procured at any price. Provisions were greatly enhanced in value, and difficult to obtain; and even water became a rare and high priced article in the streets of London. Many wretched families behoved to have perished, had not those of opulent fortunes been inspired with a more than ordinary spirit of liberality, which opened its hand not only to the professed beggar and the poor who frankly owned their distresses, but sought out with diligence, and relieved with secrecy, those more unhappy objects who, from false pride or ingenuous shame, endeavoured to conceal their misery. In Scotland, where there was less of a liberal spirit, as well as less for it to work with, the calamity was peculiarly severe. Meal, in that poor country, where there was little employment, and little to be had in return for it, wages scarcely averaging fourpence per day, rose to two shillings per peck, while it was bad in quality, and difficult to be obtained, the harvest having been late, and the winter early as well as severe. Most of the domestic fowls, many of the cattle, and even the wild animals were frozen to death. Great numbers of the people were frost-bitten, the frost being so intense, as to destroy much of the furze, broom, and brushwood, with every kind of garden stuff which the country possessed.

The following year, in the early part of it at least, seems also to have been unpromising, for we find the General Assembly, which met on the fourteenth day of May, 1741, passed the following act:—"The General Assembly taking into their serious consideration, and being deeply affected with the state of the land, by reason of the scarcity and famine we are groaning under, the dangerous and expensive war we are engaged in, with many other tokens of the Lord's wrath against us, and all these justly inflicted by a righteous God for our many sins, grievous backslidings, and provocations, did judge it their duty speedily to call persons of all ranks to humble themselves before the Lord, acknowledging our transgressions, and flying by faith and repentance to the

blood of Jesus Christ, that a merciful God may for his sake pity us, and not give us over to the will of our enemies abroad, nor consume us with famine and other judgments at home. Therefore the assembly did, and hereby do, recommend to and appoint all the several presbyteries at their first meeting to fix upon the day most convenient for their respective bounds, and that this day be at least within the month of June next, and that where presbyteries lie at such a distance as this act cannot reach them before their first meeting, that the moderator shall call a presbytery for this effect, and appoint a day with all convenient speed. That presbyteries consider not only the general causes, but the particular sins most prevalent among them, that they may be confessed and mourned over before the Lord, and all persons be called to repentance and amendment of heart and way, as they would escape through the Lord's mercy the judgment hanging over our heads, and heavier strokes being yet inflicted." *

This assembly, of which the Rev. Mr. James Ramsay, minister at Kelso, was moderator, and Alexander, earl of Leven, commissioner, presented a congratulatory address to his majesty upon occasion of taking the forts near Carthagena, an event which very soon proved to be matter for lamentation rather than congratulation; and they added to the general disgust of the people, by several violent stretches of power in the settlement of parishes, as in the cases of Bowden, Auchterderran, &c. At the same time they sanctioned a grant of sixty pounds sterling to Mr. John Currie, minister of Kinglassie, as a reward for his pamphlets written against the seceding ministers, which, but for this circumstance, and the masterly replications made to them by Mr. William Wilson of Perth, would long ago have been utterly forgotten.†

The seceders now indeed occupied the attention of the church, both sides of which were alike inimical to them, in a way that had never been anticipated, and both laboured to put them down, though by different means. The moderate party attempted to ruin them by the censures of the church, and the

* Printed Acts of Assembly, 1741.

† Index to Unprinted Acts of Assembly, 1741.

arm of the executive government, in consequence of these censures, stretched out against them. Happily, however, the spirit and genius of every administration under the illustrious house of Brunswick, unlike that of the Stuarts, has ever been utterly averse to persecution, and their hands, in this case at least, were tied up by positive statute; yet the assembly, which met at Edinburgh on the sixth of May, 1742, learning by a report from the presbyteries of Kirkcaldy and Dunfermline, "that notwithstanding of the deposition of Mr. James Thomson at Bruntisland, and Mr. Ralph Erskine at Dunfermline, by the General Assembly, 1740, and notice of the said sentence given to the magistrates of these burghs, yet the said deposed persons have been suffered ever since to occupy the pulpits in these churches, and officiate as formerly before they were deposed; and therefore the assembly resolve to apply to the civil government for a legal redress of this grievance and contempt, and ordered that letters be wrote to the secretary of state and his majesty's advocate, to the end the said sentence of deposition may be supported and rendered effectual, and that the vacant churches may be planted without delay; and further appoint the moderator to write letters to the magistrates of these burghs, exhorting them to give no longer countenance to such disorders, but to perform their duty by debarring the deposed persons from access to officiate in the parish churches, and to give from time to time free access to such as shall be sent by the respective presbyteries to supply these during the vacancy, and to pursue the necessary steps in order to planting the same, so as the sentence of the assembly may take effect in these burghs as well as elsewhere, without the necessity of employing the authority of the government, and the methods of redress or compulsion competent by the laws of the land."*

This was certainly very bold on the part of the assembly, which knew, or at least ought to have known, that the law had expressly prohibited all magistrates from giving effect to any ecclesiastic censures; and, perhaps, in no civilized country but Scotland would any body of men have required, or any set of magistrates, though required, have dared to proceed to denude

* Index to Unprinted Acts of Assembly, 1742.

men of their natural rights, in the face of an explicit and but recently promulgated statute; and we would gladly believe it was also the only country where any body of men would have quietly submitted to be so denuded, without at least having the question at issue tried before the proper tribunals, and making the injustice, if it was to be perpetrated, not the act of a paltry burgh magistracy, of an ignorant sheriff, or even of a presuming lord advocate, but the act of the country, through the highest and best constituted of her tribunals.

That these harsh measures, through the general poverty of the country, and the consequent dependance of a great proportion of its inhabitants, had a considerable effect in circumscribing the secession, cannot be disputed; but they had a natural tendency to strengthen and to confirm its spirit, and while they impeded its rapidity of growth, gave vigour to its constitution, and prepared it for a more lengthened and active maturity. The plan pursued by the opposite party in the church, who were the pretended friends of the seceding ministers, and actively opposed to all these violent measures, was to overcome them at their own weapons. In theory they were equally zealous for the rights of the christian people, in the exercises of the pulpit they were equally earnest and devout, and in their external deportment equally circumspect and severe; but they held the authority of the judicatories to be paramount, and separation they regarded as the most deadly sin. The necessity of holiness they did not dispute, but a steady adherence to definite principles they made little account of, especially if they were of the class which they denominated non-essentials, a word which was brought into vogue about this period, but of which the meaning is not to this day very apparent. Universal charity was of course the shibboleth of the party; and a piety half mystic half sentimental, the great object of their attainment and their admiration.

By adopting to such an extent the principles of the reformation, and pointing out the defects of the revolution settlement, as well as by condemning the subsequent failings of the national church, seceders had become conspicuous among men of observation both at home and abroad. Among others, they had attracted the attention of the celebrated Mr. George Whitefield,

who, with Mr. John Wesley, Mr. James Hervey, and others, had been particularly distinguished for peculiarity of conduct while attending the university of Oxford, had already laid the foundations of Methodism, and had been for some time previous to this, acting the part of an evangelist both in England and America. From some epistolary correspondence with Messrs. Ralph and Ebenezer Erskine, Mr. Whitefield had been induced to visit Scotland the previous year, and, from the above circumstance, addressed himself in the first instance to the seceders. No two things, however, could be more discordant than the principles adopted by the seceders, and those by which Whitefield professed to be guided. To unite christians in a uniform profession of divine truth, that, guarded by the strictest discipline, might be transmitted, pure and entire, from one generation to another, was the object of seceders; to produce sudden and extraordinary effects, with less regard to external means for rendering them permanent, was the great aim of Mr. Whitefield. Of course, though he preached his first sermon in Scotland from Mr. Ralph Erskine's pulpit in Dunfermline, when he came to converse with the seceders as a body, they did not come to any thing like a cordial agreement, and he very soon parted with them, perhaps not in the most pleasant manner. He was, however, received with open arms by some of the principal leaders of the orthodox party in the establishment, who seem to have considered it no small triumph to have taken him out of the hands of the seceders, of whose popularity and progress they appear to have been particularly jealous. Branded by the seceders as betrayers of the truth, abiding in their breaches, and, Issachar-like, couching down beneath the burden, when they ought boldly to have shaken it off, this party had, many of them, already begun to undervalue the matters in dispute, and to represent them as not worthy of being contended for. "It is one of satan's devices," says one of the most zealous of their partisans, "to engage some distressed souls to be deeply exercised about those things which either are not their sins, or among the least of them, that hereby he may divert them from minding their greatest sins, and those which are the cause of God's controversy with them. Some zealous good men, both ministers and others, fell un-

warily into the snare. They looked upon some things of mismanagement in government and discipline, which others were dissatisfied with as well as they, with such earnestness, that they cried out against them, as the most crying sins, the cause of the Lord's controversy with us, portending dreadful judgments, and what corrupted the church so far, as nothing could secure the salvation of her members, but coming out of her, and separating from her. Hereby they were led to overlook our greatest evil, and the cause of God's controversy with us, namely, the corruption of the lives of the members of this church, and that we had a name to live, while we were in a great measure dead, as to faith, love to God and one another, and other branches of holiness.

"This unhappily filled the heads and mouths of the most of professors to such a degree, as to mind and converse about nothing, even upon the Lord's day, but ministers, judicatories, and some other disputable things, far from the vitals of religion. The state of their souls was much forgotten; and they were either disaffected to their worthy ministers, and the Lord's ordinances dispensed by them, or if they attended, they were diverted by these things from a concern about their regeneration, conversion, and amending their ways and doings, which were not good. Wherever our lamentable divisions prevailed, serious religion declined to a shadow."*

Such has been the language of all the advocates of corrupt churches, from the days of Tetzels, who arraigned Luther as an atheist, because he declared the utter insignificance of popish pardons, down to this very day. Such were the bursts of piety which the curates re-echoed during the bloody reigns of Charles II. and James VII.; and so were all those accounted of, who could not in conscience submit to their ministry.† To men of such sentiments, and so situated, Whitefield could not be other than highly acceptable. Free grace was his constant theme, and all pleading for fixed principles in church government he reckoned, if not impertinent, unnecessary. His conversion, according to his own account, had been distinctly marked,

* Preface to Robe's Narrative, pp. 44, 45.

† *Vide* Sir George Mackenzie's Defence of the Government of Charles II. and the Case of the Present Afflicted Clergy of Scotland truly represented, &c.

and he was unquestionably pious. "His soundness in the faith," says one of his ardent admirers, "his fervent zeal and unwearied diligence for promoting the cause of Christ; the plainness and simplicity, the affection and warmth of his sermons, and the amazing power that had accompanied them in many parts of England, and in almost all the North American colonies, joined to his meekness, humility, and truly candid and catholic spirit, convinced them there was reason to think well of him, and to countenance his ministry. Conversions were become rare, little liveliness was to be found even in real Christians, and bigotry and blind zeal were producing animosity and divisions, and turning away the attention of good men from matters of infinitely greater importance. In this situation, an animated preacher appears singularly qualified to awaken the secure, to recover Christians to their first love and first works, and to reconcile their affections one to another."* He indeed laid claim to an extraordinary call, and the party seem to have been willing to allow it to the full. "This worthy youth," says Willison of Dundee, "is singularly fitted to do the work of an evangelist; and I have been long of opinion, that it would be for the advantage of the world were this still to be a standing office in the church;† and seeing the Lord has stirred him up to venture his life, reputation, and his all for Christ—refuse the best benefices in his own country, and run all hazards by sea and land, and travel so many thousand miles to proclaim the glory of Christ, and riches of his free grace, of which he himself is a monument; and especially seeing God has honoured him to do all this with such surprising success among sinners of all ranks and persuasions, and even many of the most notorious, in awakening and turning them to the Lord, I truly think we are also bound to honour him, and to esteem him very highly in love, for his Master's and for his work's sake." "God," he adds, "by owning him so wonderfully, is pleased to give a rebuke to our intemperate bigotry

* *Memoirs of the Life of Mr. George Whitefield, &c.* by John Gillies, D. D. p. 101.

† Might not Mr. Willison at the same time have just as reasonably recommended the continuance of the apostleship?

and party zeal; and to tell us, that neither circumcision nor uncircumcision availeth any thing, but the new creature.”*

The enthusiasm into which the party had thus wrought themselves, they maintained, and wound up to a still higher pitch by reading from the pulpit, printing and circulating missives, attestations, journals, &c. of the extraordinary conversions that were taking place in various parts of the world, and particularly of those effected by the ministry of Mr. Whitefield, all of whose sermons were supposed to be accompanied with a more than ordinary effusion of the Holy Spirit. These missives, printed at Glasgow in weekly numbers, one halfpenny each, and industriously circulated, in the then state of knowledge and religious feeling, naturally and necessarily created an uncommon ferment over all the adjacent country, and in different parishes there were movements of no common kind. Circumstances, however, gave to Cambuslang, a small village about five miles to the south-east of Glasgow, the honour of being the centre where the various degrees of influence met—hence, to this day, though by no means confined to so narrow a compass, the whole affair is still known by the name of “*Cambuslang Wark*.”

A residenter in Cambuslang, of the name of Ingram More, having, through the preaching of Mr. Whitefield, come under serious impressions at Glasgow the previous year, by his prayers at fellowship meetings, religious conferences, &c. became the instrument of awakening many, and particularly a neighbour named Robert Bowman, who, about the end of January, or the beginning of February this year, joined him in a petition, to which they procured the subscription of about ninety heads of families, and presented it to the minister, Mr. William M'Culloch, requesting him to establish a weekly lecture. With this the minister readily complied, and Thursday was fixed upon as the day most convenient. “On the two first Thursdays, after the lecture was over, some persons came to the minister's house, much concerned about their spiritual estate; but they were in no great number. On Monday, February the fifteenth,

* *Memoirs of the Life of the Rev. Mr. George Whitefield, &c.* by John Gillies, D. D. pp. 95, 96.

and the two following days, all the fellowship meetings in the parish convened in one body in the minister's house, and were employed in fervent prayer for many hours for the success of the gospel, and for an outpouring of the Spirit in their bounds, as in other places abroad. The next day, Thursday the eighteenth, nothing particular happened during the lecture, except that the hearers were apparently all attention; but the minister in his last prayer expressing himself thus, "Lord, who hath believed our report; and to whom is the arm of the Lord revealed? Where are the fruits of my poor labours among this people?" a number of persons cried out publicly, and about fifty men and women came to the minister's house, under strong convictions of sin, and alarming fears of punishment."*

After this period the concourse of people was so great, that the minister felt himself called upon to provide them daily sermons or exhortations, and actually did so for upwards of six months! during which the sacrament was twice dispensed, viz. on the eleventh of July, and on the fifteenth of August, and especially on the latter day, to immense multitudes. Besides the tent for field preaching in the usual place, which is peculiarly adapted for such a purpose, being a circular excavation on the brink of a small rivulet, where a very great number can assemble within reach of the minister's voice, other two tents were erected, at each of which there was a very great congregation. By some they were estimated at fifty thousand. Mr. Whitefield, who was probably the best judge, being more accustomed to numerous audiences than any other person present, estimated the three assemblies to be above thirty thousand, a greater number than probably was ever assembled in Scotland on a like occasion. There were assisting at this solemnity, besides Mr. Whitefield, the very flower of the Scottish church, men distinguished for general talent, and eminent for personal piety, viz. Mr. Webster from Edinburgh, Mr. M'Laurin and Mr. Gillies from Glasgow, Mr. Robe from Kilsyth, Mr. Currie, the champion of the church, from Kinglassie, Mr. M'Knight from Irvine, Mr. Bonnar from Torphichen, Mr. Hamilton from

* Narrative of the Extraordinary Work of Cambuslang, Kilsyth, &c. by the Rev. James Robe.—Statistical Account of Scotland, vol. v. pp. 267—274. Pamphlets of the time, &c. &c.

Douglas, &c. &c. all of whom, inspired by the greatness of the occasion, or specially assisted, seemed to rise above their former attainments. Nor were the services less extraordinary than the assemblage and the assistants. Four ministers preached in succession on the fast-day, four on Saturday, probably fourteen or fifteen, for the number is not exactly stated, on Sabbath, and five on Monday. There were upwards of three thousand communicants who sat down in succession to twenty-five tables set in the open air, the last of which concluded with the closing day, and Mr. Whitefield commenced his exhortation in the church-yard at ten o'clock at night.* Of this vast assemblage of people there were among the communicants about two hundred from Edinburgh, two hundred from Kilmarnock, two hundred from Irvine, Stewarton, and the neighbourhood, and several both from England and Ireland. There was much of the peculiar influence which characterized this work felt on the occasion, especially under the sermons of Whitefield, and particularly about ten o'clock on Sabbath evening, when the auditory was dissolved in tears, and many cried out.† The

* Robe's Narrative, &c. p. 39.

† Of this sacrament, the following account was given to a reverend brother by Mr. McCulloch, which we reckon it but justice to insert:—

Reverend and dear brother,

You know that we had the sacrament of the Lord's supper dispensed here on the eleventh of July last. It was such a sweet and agreeable time to many, that a motion was made by Mr. Webster, and immediately seconded by Mr. Whitefield, that we should have another such occasion in this place very soon. The motion was very agreeable to me, but I thought it needful to deliberate before coming to a resolution. The thing proposed was indeed very extraordinary, but so had the work in this place been for several months past. Care was therefore taken to acquaint the several meetings for prayer with the motion, who relished it well, and prayed for direction to those concerned, to determine in this matter. The session met next Lord's day, and taking into consideration the divine command to celebrate the ordinance often, joined with the extraordinary work that had been here for some time past; and understanding that many who had met with much benefit to their souls at the last solemnity, had expressed their earnest desire of seeing another in this place shortly; and hearing that there were many who intended to have joined at the last occasion, but were kept back through inward discouragements or outward obstructions, and were wishing soon to see another opportunity of that kind here to which they might have access; it was therefore resolved (God willing) that the sacrament of the Lord's supper should be again dispensed in

greatness of this occasion, however, seems to have wound up the enthusiasm of all to the last pitch, and it immediately began to subside. Convictions, of the more violent kind at least, were no more heard of, the daily sermons and exhortations, with the

this parish on the third sabbath of August then next to come, being the fifteenth day of that month. And there was first one day, and then another, at some distance of time from that, appointed for a general meeting of the several societies for prayer in the parish, at the manse, who accordingly met there on the days appointed, with some other christians from places in the neighbourhood; and when the manse sometimes could not conveniently hold them, they went to the church; and at one of these meetings, when light failed them in the church, a good number, of their own free motion, came again to the manse, and continued at prayers and praises together, till about one o'clock next morning.

The design of these meetings, and the business which they were accordingly employed in (besides singing of psalms, and blessing the name of God together) was to ask mercy of the God of heaven to ourselves; to pray for the seceders and others, who unhappily oppose this work of God here, and in some other parts where it takes place; that God would forgive their guilt in this matter, open their eyes, remove their prejudices, and convince them that it is indeed his work, and give them repentance to the acknowledgment of this truth; that the Lord would continue and increase the blessed work of conviction and conversion here, and in other places where it is begun in a remarkable measure, and extend it to all corners of the land; and that he would eminently countenance the dispensing of the holy supper a second time in this place, and thereby to make the glory of the latter solemnity to exceed that of the former. Much of the Lord's gracious presence was enjoyed at these meetings for prayer, returns of mercy were vouchsafed in part, and are still further expected and hoped for.

This second sacrament occasion did indeed much excel the former, not only in the number of ministers, people, and communicants, but, which is the main thing, a much greater measure of the power and special presence of God, in the observation and sensible experience of multitudes that were attending. The ministers that assisted at this solemnity, were Mr. Whitefield, Mr. Webster from Edinburgh, Mr. M'Laurin and Mr. Gillies from Glasgow, Mr. Robe from Kilsyth, Mr. Currie from Kinglassie, Mr. M'Knight from Irvine, Mr. Bonnar from Torphichen, Mr. Hamilton from Douglas, and three of the neighbouring ministers, viz. Mr. Henderson from Blantyre, Mr. Maxwell from Rutherglen, and Mr. Adam from Cathcart. All of them appeared to be very much assisted in their work. Four of them preached on the fast day, four on Saturday, on Sabbath I cannot tell how many, and five on Monday, on which last day it was computed that above twenty-four ministers and preachers were present. Old Mr. Bonnar, though so frail that he took three days to ride eighteen miles from Torphichen to Cambuslang, yet his heart was so set upon coming here, that he could by no means stay away, and when he was helped

exception of the weekly lecture, ceased, though the public services of the Sabbath were still performed in the fields till the month of November, when the inclemency of the weather rendered it necessary again to take the benefit of the church.

up to the tent, preached three times with great life; and returned with much satisfaction and joy. Mr. Whitefield's sermons on Saturday, Sabbath, and Monday, were attended with much power, particularly on Sabbath night about ten, and that on Monday, several crying out, and a very great but decent weeping and mourning was observable thro' the auditory. On Sabbath evening while he was serving some tables, he appeared to be so filled with the love of God, as to be in a kind of ecstasy or transport, and communicated with much of that blessed frame. Time would fail me to speak of the evidences of the power of God coming along with the rest of the assistants; and I am in part prevented by what is noticed by Mr. Robe in his narrative.

The number of people that were there on Saturday and Monday was very considerable. But the number present at the three tents on the Lord's day was so great, that, so far as I can hear, none ever saw the like since the revolution in Scotland, or even any where else at any sacrament occasion; some have called them fifty thousand, some forty thousand, the lowest estimate I can hear of, with which Mr. Whitefield agrees, who has been so much used to great multitudes, and forming a judgment of their number, makes them to have been upwards of thirty thousand.

The number of communicants appears to have been about three thousand. The tables were double, and the double was reckoned to contain one hundred and fourteen, or one hundred and sixteen, or one hundred and twenty communicants. The number of tables I reckoned had been but twenty-four; but I have been since informed, that a man who sat near the tables and kept a pen in his hand, and carefully marked each service with his pen, assured that there were twenty-five double tables or services, the last table wanting only five or six persons to fill it up. And this account comes indeed the most probable, as agreeing nearly with the number of tokens distributed, which was about three thousand. And some worthy of credit, and that had proper opportunities to know, gave it as their opinion, that there was such a blessed frame fell upon the people, that if there had been access to get tokens, there would have been a thousand more communicants than what were.

This vast concourse of people, you may easily imagine, came not only from the city of Glasgow, and other places near by, but from many places at a considerable distance; it was reckoned there were two hundred communicants from Edinburgh, two hundred from Kilmarnock, one hundred from Irvine, and one hundred from Stewarton. It was observed, that there were some from England and Ireland here at this occasion; a considerable number of Quakers were hearers; a great number of those that had formerly been seceders were hearing the word, and several of them were communicants. A youth that had a near view to the ministry, and had been for some-time under

Of the number of persons brought under conviction, or supposed to have been actually converted, no very accurate list has been preserved. Of the latter, Mr. M'Culloch, nine years after this, states, that he had a list of four hundred awakened this

great temptations that God's presence was no more to be enjoyed, either in the church or among the seceders, communicated here, and returned with great joy, full of the love of God.

There was a great deal of outward decency and regularity observable about the tables. Publick worship began on the Lord's day at half-past eight in the morning. My action sermon, I think, was reasonably short; the third or fourth table was a serving at twelve o'clock, and the last table was a serving about sunset; when that was done, the work was closed with a few words of exhortation, prayer, and praise, the precentor having so much day-light as to let him see to read four lines of a psalm. The passes to and from the tables, were with great care kept clear for the communicants to come and go. The tables filled so quickly, that oftimes there was no more time between one table and another, but to sing four lines of a psalm. The tables were all served in the open air, beside the tent, below the brae; the day was temperate; no wind or rain in the least to disturb. Several persons of considerable rank and distinction, who were elders, most cheerfully assisted our elders in serving the tables, such as the honourable Mr. Charles Erskine of ——— advocate, Bruce of Kennet, Esq. Gillen of Wallhouse, Esq. Mr. Warner of Andees, and Mr. Wardrop, surgeon in Edinburgh.

But what was most remarkable, was the spiritual glory of this solemnity, I mean the gracious and sensible presence of God. Not a few were awakened to a sense of sin, and their lost and perishing condition without a Saviour. Others had their bands loosed, and were brought into the marvellous liberty of the sons of God. Many of God's dear children have declared, that it was a happy time to their souls, wherein they were abundantly satisfied with the goodness of God in his ordinances, and filled with all joy and peace in believing. I have seen a letter from Edinburgh, the writer of which says, 'That having talked with many christians in that city, who had been here at this sacrament, they all owned that God had dealt bountifully with their souls on this occasion.' Some that attended here, declared that they would not for a world have been absent from this solemnity. Others cried, Now let thy servants depart in peace from this place, since our eyes have seen thy salvation here. Others wishing, if it were the will of God, to die where they were attending God in his ordinances, without ever returning again to the world or their friends, that they might be with Christ in heaven, as that which is comparatively best of all.

I thought it my duty to offer these open hints concerning this solemnity, and to record the memory of God's great goodness to many souls at that occasion. And now, I suppose, you will by this time find yourself disposed to sing the ninety-eighth psalm at the beginning, or the close of the seventy-

year at Cambuslang, who to the day of their death, or to the date of his letter, 1751, had walked in a manner becoming the gospel. Of these, seventy persons are stated to have belonged to the parish of Cambuslang.

Much violent and idle controversy was excited by this event at the time, nor has the question of its origin, so far as we know, yet been set at rest. By the churchmen by whom it was promoted or countenanced it was universally cried up as a more than ordinary work of the Spirit of God, and the improvement they made of it was certainly an extraordinary one, viz. that it was an open intervention in behalf of the established church, and a plain providential rebuke of the presumption of the seceders in declining the authority of her judicatories, and withdrawing from her communion, a most absurd conclusion, even granting the premises, God's providential dispensations forming no rule of duty either as they regard societies or individuals. The seceders, on the other hand, irritated by senseless abuse, went to an opposite extreme, and made more noise about it than was really called for, which their enemies sedulously and very successfully employed to their disadvantage.

Where there were so many eminent ministers employed for the space of six months, there must have been many clear exhibitions of the gospel, and wherever these are made for a length of time, we cannot but think that some good fruits will follow. At the same time, we must say, that the whole business, from first to last, was in a high degree disorderly, and that there was a great deal of delusion in it is evident even from the showing of its warmest defenders. It was not the seceders alone who questioned the heavenly origin of the bodily convulsions, in which one great peculiarity of this work consisted; Whitefield himself "believed them," as he has told us in his Journal, "to come from the devil, who wanted to bring an evil report on the work by these fits," and Robe, Webster,

second psalm, or some other psalm of praise. May our excellent Redeemer still go on from conquering to conquer, till the whole earth be filled with his glory, Amen, so let it be. In him I am,

Yours, &c. &c.

Narrative of the Extraordinary Work of the Spirit of God at Cambuslang.
&c. pp. 32—38.

Willison, &c. &c. have, to a considerable extent, admitted the same thing. Perhaps after all, the causes, strange as the effects were, might be found in the elements of the human mind, operated upon by circumstances which the contending parties were not cool enough at the time to observe, nor sufficiently candid afterwards to acknowledge. Such, however, were the convictions of the associate presbytery concerning these causes, that in the month of July, they held a meeting at Dunfermline, and appointed the fourth day of August to be observed as a day of fasting and humiliation through their whole body, for which, among other reasons, they specified the countenance given to Mr. Whitefield, "a priest of the church of England, who hath sworn the oath of supremacy," and "abjured the solemn league and covenant," and particularly "the symptoms of delusion attending the present awful work upon the bodies and spirits of men." With an honesty which he did not on all occasions practise, Whitefield had avowed himself, when before the seceding brethren, a member of the church of England, the government and worship of which he thought lawful, and he declared, moreover, unless he was thrust out, that he was resolved to continue in that church, rebuking sin, and preaching Christ. He also told them that "he reckoned the solemn league and covenant a sinful oath, as too much narrowing the communion of saints, and that he could not see the divine right of presbytery."* But his friends in the establishment were just as great sticklers for the divine right of presbytery, and professed to adhere to the covenants just as warmly as the seceders, and of course this public accusation, the truth of which Mr. Whitefield's conversations had amply confirmed, must have given them great uneasiness. Among others, Mr. Willison seems to have had some difficulties on the subject, which Whitefield was at great pains to obviate, by a letter from Cambuslang, which the reader may consult at the foot of the page.† Whether this letter was satisfactory to Mr. Willison

* *Memoirs of the Life of Mr. George Whitefield*, by John Gillies, D. D. p. 100.

† I heartily thank you for your concern about unworthy me. Though I am not very solicitous what the world say of me, yet I would not refuse to give any one, much less a minister of Jesus Christ, (and such an one I take

or not, we have not discovered. Whitefield probably thought his assertions ingenuous, but Mr. Willison could not but know, that the oath of supremacy which Whitefield had sworn, and for which he never made any apology, was a real abjuring of

you to be) all reasonable satisfaction about any part of my doctrine or conduct. I am sorry that the associate presbytery, besides the other things exceptionable in the grounds of their late fast, have done me much wrong. As to what they say about the supremacy, my sentiments as to the power and authority of the civil magistrate as to sacred things, agree with what is said in the Westminster Confession of Faith, chap. xiii. paragraph 3d and 4th. And I do own the Lord Jesus to be the blessed head and king of his church. The solemn league and covenant I never abjured, neither was it ever proposed to me to be abjured: and as for my missives, if the associate presbytery will be pleased to print them, the world will see that they had no reason to expect that I would act in any other manner than I have done. What that part of my experience is, that savours of the grossest enthusiasm, I know not, because not specified, but this one thing I know, when I conversed with them, they were satisfied with the account I then gave of my experiences, and also of the validity of my mission; only when they found I would preach the gospel promiscuously to all, and for every minister that would invite me, and not adhere only to them, one of them particularly said, "They were satisfied with all the other accounts which I gave of myself, except of my call to Scotland at that time." They would have been glad of my help, and have received me as a minister of Jesus Christ, had I consented to have preached only at the invitation of them and their people. But I judged that to be contrary to the dictates of my conscience; and therefore I could not comply. I thought their foundation was too narrow for any high house to be built upon. I declared freely when last in Scotland (and am more and more convinced of it since) that they were building a Babel. At the same time, they knew very well I was very far from being against all church government (for how can any church subsist without it?) I only urged, as I do now, that since holy men differ so much about the outward form, we should bear with and forbear one another, though in this respect we are not of one mind. I have often declared in the most publick manner, that I believe the church of Scotland to be the best constituted national church in the world. At the same time, I would bear with, and converse freely with all others, who do not err in fundamentals, and who give evidence that they are true lovers of the Lord Jesus. This is what I mean by a catholic spirit. Not that I believe a Jew or Pagan continuing such, can be a true Christian, or have true Christianity in them; and if there be any thing tending that way in the late extract which I sent you, I utterly disavow it. And I am sure I observed no such thing in it, when I published it, though upon a closer review, some expressions seem justly exceptionable. You know how strongly I assert all the doctrines of grace, as held forth in the Westminster Confession of Faith, and doctrinal articles of the church of England. These I trust I shall adhere to as long as I live, because I verily

the solemn league, and totally incompatible with owning the Lord Jesus Christ to be the king and head of his church, in the sense he is declared to be so in the Westminster Confession, and by the church of Scotland.

At their next meeting in the month of October, the associate presbytery proceeded to a work of much greater importance than contending with a man who fancied himself in possession of a divine calling, by which he was exempted from any thing like submission to any church, or to any ecclesiastic authority whatsoever, the vindication of the standards of the Scottish church from sundry false glosses that had been put upon them by the judicatories, from whom they had been under a necessity of separating themselves. This they did in an "act concerning the doctrine of grace, wherein the said doctrine, as revealed in the holy scriptures, and agreeable thereto set forth in our Confession of Faith and catechisms, is asserted and vindicated from the errors vented and published in some acts of the assemblies of this church, passed in prejudice of the same, with an introduction, discovering the rise and progress of the opposition to the doctrine of grace, and the reasons of passing and publishing this act in vindication of the same."

The associate presbytery had the previous year suffered a severe loss in the death of Mr. William Wilson of Perth, a man of singular judgment and piety; but within two years they had ordained twelve ministers, and at this meeting the Rev. Andrew Arrot, minister at Dunichen, acceded to them, so that the presbytery consisted now of twenty ministers, notwithstanding of all the opposition they had experienced.

The General Assembly of the church of Scotland met this

believe they are the truths of God, and have felt the power of them in my own heart. I am only concerned that good men should be guilty of such misrepresentations. But this teaches me more and more to exercise compassion toward all the children of God, and to be more jealous over our own hearts, knowing what fallible creatures we all are. I acknowledge that I am a poor blind sinner, liable to err, and would be obliged to an enemy, much more to so dear a friend as you are, to point out to me my mistakes, as to my practice or unguarded expressions in my preaching or writing. At the same time, I would humble myself before my Master, for any thing I may say or do amiss, and beg the influence and assistances of his blessed Spirit, that I may say and do so no more.

year on the sixth day of May, the Rev. Thomas Tullideph, principal of the college of St. Andrews, moderator, Alexander, earl of Leven, commissioner. We have already noticed the proceedings of this assembly, with regard to some of the seceding ministers who had not been as yet ejected from their churches. At the same time they justified the seceders, and added to the number of their adherents by the continued exercise of tyrannical power, particularly in regard to the settlement of Mr. Hume in the parish of Bowden, against which, though several members protested, their protests, as usual, were not allowed to be recorded.*

The presbytery of Long Island was by this assembly broken down into two, the one consisting of the parishes of Lochs, Starnavoy, Barfas, and Uig, denominated the presbytery of Lewis, their place of meeting to be Carlway; and the other, consisting of the parishes of Harris, North Uist, South Uist, and Bara, denominated the presbytery of Uist, their place of meeting to be Carinish, each of them to have "the same powers and privileges which any other presbytery have, by the word of God and the constitutions of this church." An act was also passed to enforce a more regular attendance at meetings of the commission of the General Assembly, the unpopularity of whose measures had become a strong inducement for individuals who wished to stand well with the public to absent themselves. By this act, presbyteries were enjoined, after every quarterly meeting of the commission, to inquire into the attendance of their members, "and to censure such as had been absent without sufficient cause."

A most excellent act and overture was published by this assembly, respecting the licensing of probationers; consolidating all former acts of assembly upon the subject. By this act it is provided, "that no presbytery admit any to probationary trials but such as are found to be of good report, of sufficient learning, sound principles, of a pious, sober, grave, and prudent behaviour, and of a peaceable disposition, and well affected to the government in church and state, and of whom they have sufficient grounds to conceive that they shall be useful and

* Index to Unprinted Acts of Assembly, 1742.

edifying in the church, and that careful inquiry be made thereanent, and that, without respect of persons, such as are esteemed to be light and vain in their behaviour, imprudent, proud, worldly-minded, or unacquainted with the power of practical godliness, be kept back from that sacred work." The presbytery taking the candidate upon trial, are also further enjoined, "by themselves, or a committee of their number, to take a private and previous trial of the progress he has made in the Latin, Greek, and Hebrew languages, in the study of philosophy, and his knowledge in divinity, theoretical, polemical, and practical; especially such points as shall be matter of the present debates and controversies, his acquaintance with the holy scriptures, and what impression he has of religion on his own soul, his knowledge of the constitution of the primitive Christian church, and also of our own, and of the government and discipline thereof; and of his spiritual wisdom to deal with the several sorts of persons he may have to do with, namely, atheists, despisers of religion, careless and secure persons, weak and tender consciences, and others, wherein the great difficulty of the pastoral charge lies, and particularly anent his ends and intentions in entering upon the preaching of the gospel. And the General Assembly further appoint the several presbyteries concerned, to take special care that these trials be not managed in an overly and superficial manner, but as in the sight of God, and our LORD JESUS CHRIST, the alone king and head of his church, and either to reject or delay to further trial such as are not found sufficiently qualified."*

The excellence of this act will be admitted by all who have any knowledge of Christianity, and any proper sense of the vast importance and responsibility that attaches to the character of its public teachers; but we are afraid, that it will be impossible to look at the many decaying churches of the Scottish establishment, with their every avenue overgrown with grass, or choked up with nettles, without a strong suspicion that it has been but very partially attended to, if it be not altogether a dead letter on the statute book.

This assembly displayed a laudable attention to literature,

* Printed Acts of Assembly, 1742.

and the history of the church and nation, by naming a committee to examine some manuscripts belonging to the historian of the sufferings of the Scottish church, Robert Wodrow, minister at Eastwood, at whose recommendation, thirty pounds sterling were ordered to be paid to the said Mr. Wodrow, for certain volumes of manuscripts mentioned in their report, and the volumes deposited in the hands of the clerk of assembly, "that any minister or elder of the church may have access to peruse them."*

Perhaps it was fortunate, that, while religious disputes were running so high in Scotland, the court was so much occupied, as to be able to bestow but little attention upon them. Walpole had long kept his place, and succeeded in circumventing all his opponents; but his arts, and especially his means of corruption, began to fall short, while the rage of his enemies was every day becoming more inveterate. The Spanish war, into which he had been forced by the clamour of the public, diverted his energies into a channel where they were lost to himself and to the nation; and making a merit of necessity, he at last yielded to the torrent of opposition which he could no longer control, and this present year, 1742, resigned all his employments, and was created earl of Orford, with a pension of four thousand pounds per annum.

The resignation of this very able, but now unpopular minister, threw the English public into a transport of joy; and his enemies thought that one effort more would certainly bring him to the block. The joy of the one, however, was short-lived, and the rage of the other vain. His successors in office, changing their views with their circumstances, as has always been, and ever will be the case, adopted nearly the same plan of policy which he had incurred so much odium by pursuing. They remedied no domestic grievance whatever. The commerce of Britain was still unprotected, and, though the public voice was clamorous for vengeance, her thunders slumbered in the clouds of imbecility, or were idly spent amid the pestilential exhalations that brooded over the dreary wilds of the New World. Expensive foreign subsidies, instead of being retrenched, were continued

* Index to Unprinted Acts of Assembly, 1742.

and extended, with a profusion, that, were not the industry and talents of a free people mines of wealth infinitely more productive than those of Peru, must of necessity in a year or two have exhausted them; and instead of that unanimity in every popular measure which was so warmly anticipated, there was the same scowling opposition, and flails of oratory continued to thrash the dusty floor as unprofitably as ever. Attempts to criminate the late minister, were twice, by the dexterity of himself and his friends, baffled in the house of commons; a third succeeded with that house, but was quashed by the lords, and the parliament was shortly after prorogued.

In Scotland, though the lord president Forbes, one of the most worthy men which that country has ever produced, and one of the warmest patriots, was exerting all the influence of his high station; and of his still higher reputation for promoting the general prosperity of the country, it was retrograding rather than advancing. The linen manufacture, which had long been an object of care and of expectation to every lover of his country, was now so far advanced, as to be declared "a promising child, well worth nursing and bringing up;" but the revenues of the country were in such a declining state, that it was with the utmost difficulty the necessary expenses of the government could be met. Depredations were still common among the Highlanders, and felonies of the most atrocious kind were frequently committed with impunity, because the country could not afford the means of bringing the perpetrators to justice. The fisheries, from which a great increase of wealth, as well as of the means of subsistence, had been anticipated, had for several of the previous years been totally unproductive. The foreign trade of the country, which centred chiefly in Glasgow, and was carried on principally with America and the West Indies, was in no small degree cramped by the Spanish war. The serges and stockings of Aberdeenshire were unsaleable from the same cause, and the universal complaint was, that there was remarkably less coin to be met with than ever had been at any former period. "Paper," says President Forbes, writing of this period, "is the only coin that one sees, and even that is far from being in any tolerable plenty."*

* Culloden Papers, 182—189.

The annual expense of the civil government of Scotland, including ten thousand six hundred pounds sterling of annuity due to the equivalent, and two thousand sterling that had been bestowed as an annuity for the encouragement of manufactures, was at this period from fifty-one to fifty-two thousand pounds. To meet this expense, the principal fund depended upon was the excise, the customs having for some time previous to this become exceedingly unproductive. The excise had also been for a number of years falling gradually off, having fallen from forty-one thousand and some hundred odd pounds, to which it amounted in 1733, to twenty-two thousand and a few odd hundreds in 1742,* which, with all the other duties, made the

* "Had the diminution of the excise," says president Forbes, "been owing to the casualty of a bad crop, which frequently occasions a shortcoming, as it did for example in the year from Midsummer 1740, to Midsummer 1741, wherein the net duty amounted to no more than £18,899:1:3½, it would have given me no pain, because a more plentiful harvest would have repayed the loss. But the misfortune is, that this decay has been regular and progressive, growing more sensible from year to year, ever since 1733, and must continue for ever, how plentiful soever our crops may be, unless the cause of that decay is discovered and removed.

It becomes therefore highly important for us, who belong to this poor country, to search after the cause of this mischief, and, if possible, to eradicate it. The first point is easily compassed—the second is a work of much more difficulty; but it must necessarily be attempted; for if we do not destroy it, it will most certainly destroy us, and that very soon."

The following causes assigned by the worthy president, will be thought in this age a little odd; but they were as firmly believed in, at the time, as any of the most specious dogmas of modern politicians, and resolutions adopting the theory of the president, and approving of his method of cure, were passed by almost every county in Scotland.

"The cause of the mischief we complain of," he proceeds, "is evidently the excessive use of tea; which is now become so common, that the meanest family even of labouring people, particularly in boroughs, make their morning meal of it, and thereby wholly disuse the ale, which heretofore was their accustomed drink; and the same drug supplies all the labouring women with their afternoon's entertainments, to the exclusion of the twopenny.

"The Ostend company first, and afterwards that settled at Gottenburgh, not only filled the most of Europe with tea, but by necessary consequence, brought down the price of it very low. Several persons belonging to this country, of low, if not of desperate fortunes, were concerned in the service of these companies, particularly of that of Gottenburgh. They run their low-priced tea into Scotland, and sold it very cheap; a pound went from half-a-

total sum, of which the crown could avail itself, thirty-one thousand two hundred and forty pounds sterling, a sum altogether inadequate to its wants, "and accordingly," says the president, "the exchequer has been obliged, I would not say

crown to three or four shillings. The good wife was fond of it, because her betters made use of tea; a pound of it would last her a month, which made her breakfast, as she made no account of the sugar, which it took up only in ounces. In short, the itch spread; the refuse of the vilest teas were run into this country from Holland, sold and bought at the prices I have mentioned; and at present there are very few cotters in any of the boroughs of this country, who do not sit down very gravely with their wives and families to tea.

"It is above seven years since I foresaw, or rather saw this abuse, and warned against it. The better sort of the commonalty first gave into it, and of course left off their morning drink of ale, which impaired considerably the excise. But when, by degrees, the commons within borough almost universally followed the example, the use of ale and beer for mornings and afternoons was almost wholly laid aside, and the revenue of excise has sunk in proportion as this villanous practice has grown.

Nor is it that revenue only that suffers by this unaccountable abuse. The duty of two pennies on the pint of beer and ale, which Edinburgh, Glasgow, and almost all the other considerable brughs of Scotland, begged of the parliament, and depended on as the chief fund for defraying their common expenses is sunk, rather in a greater proportion than the excise; as this pernicious practice prevails more within brughs than in the country. And what grieves me most, the malt duty, which formerly yielded considerable surplus to the manufactures, after answering the net sum of £20,000 to the crown, has not been able, for severall years, to answer the sum which the publick is entitled to have.

This last article claims (in a particular manuer) your lordship's attention. By the malt act, which charges Scotland with the duty of threepence per bushell, it is provided, that in case that duty does not produce the sum of £20,000 clear to the crown, the deficiency shall be made good by a surcharge. Now, as the sums in which the malt duty has been deficient for the four years preceding midsummer last, amount to about £21,000, this poor country is, within the words of the law, liable to a surcharge for that large sum. What distractions the exacting would occasion, your lordship can easily figure to yourself; nor do I mention it from any apprehension, that those who have the honour to serve his majestie in the direction of the revenue, will think of such a harsh measure at this time; but purely that your lordship may see from this, as well as the other considerations mentioned, how important a point it becomes, to devise and to apply some effectual remedy to the destructive evill I have been speaking of.

If I am not very much mistaken, your lordship is by this time satisfied, that the excessive use of tea is the principal cause of the misfortunes we feel, and are likely to suffer under more smartly; and that if some effectual remedy is

to stop, for that is an ugly word, but to delay payments." Owing to this state of things, the annuity for encouraging manufactures was not paid, though a government warrant had been signed for it, and the salaries of the judges of all the three

not applied, we are undone. What I am next to trouble your lordship with, is, what upon the most serious consideration, recurs to me as the only practicable manner in which to attempt relief.

Could the running of tea be prevented, so that every pound of tea should fairly pay a duty of four shillings, the abuse complained of would cease of course, because it is the meanness of the price that encourages the poorer sort to purchase; and the duty, added even to the low values at which it is now sold, would prove an effectual bar to the use of it amongst such as have deserted twopenny for it. But then, considering the extent of our coast, the small number of officers which our revenue can entertain, and I am afraid I may say the corruption of these officers, it is, at least it seems to me, to be utterly impossible to prevent the running of this light commodity, by any law yet enacted, or that may be devised.

It might indeed be very possible to prevent the use of it among such as could not afford to pay the duty, and to recover the duty from such as should continue to use it, by very rigid excise laws, such as England would not choose to submit to, or by levying a rate from the families in which tea is used, by a sort of capitation tax, in the manner in which such duties are levied in Holland, and a method might I think be contrived, not subject to a possibility of fraud, whereby such persons of this country as truly made use of tea which paid duty in London, might draw back that duty. But as I doubt, nay indeed I hope, that England is not so much hurt by this abominable practice, either in its revenues or other interests, as we are, so that it is not likely they will be disposed to make use of a remedy, which to them may seem so violent, however, I might, for my own part, choose to submit to any method of exaction, than be overwhelmed with immediate ruin; yet, as it would be extremely dangerous, in point of precedent, to submit to a different tax, and a different method of levying it, in the one part of the island from what takes place in the other, I confess I think this ought to be considered as the last shift, and every other possible method ought to be first essayed.

What appears then to me to be a remedy not attended with any insuperable objection is this, in a few words; by act of parliament to prohibit, under sufficient penalties to be recovered with certainty and dispatch, the use of tea among that class of mankind in this country, whose circumstances dare not permit them to come at tea that pays the duty; and yet whose taking to run tea, and deserting the use of malt liquor occasions the complaint.

The principal difficulty that appears to me in this scheme is, how to describe with certainty the persons intended to be prohibited to make use of tea, and how to make the proper provisions for the ready and certain execution; for I hope, the general design of prohibiting the use of any particular drug,

courts were nearly twelve months in arrear, nor was there any possibility of discharging them but by applying the revenue of the present year to the expenses of that which was past; and even this expedient, without an immediate and very material

to any particular set of subjects, who cannot possibly come at it in a fair way, is not liable to any just exception. It has been the policy of many of the wisest and of the freest states to regulate the dyet of their citizens. Sumptuary laws have never been thought unjust restraints, and the late instance of the gin bill, whereby the health of the lower class of mankind in England was taken care of by prohibitions and severe penalties, is an answer to every objection that can be offered to the general design of the law I propose.

The East India company cannot possibly be affected by this proposition; for besides that, in fact, the whole tea intended to be prevented to be used comes from Gottenburgh and Holland, the prohibition is not meant to affect that class of mankind that can come up to tea that pays the duty; such as is all the tea in which the company is interested.

With respect to the description of the class of persons intended to be affected by the prohibition, it is evident no description of which we have precedents in the law of Scotland will do. The distinction made in the stat. 1701, concerning personal liberty between noblemen, landed gentlemen, other gentlemen, burgesses, and persons below that rank, will not answer, nor will any other that I know of hitherto made use of. But I think that, as what gives rise to the grievance is the use of vile tea, by such persons whose low circumstances will not permit them to purchase better and dearer, a rate shou'd be thought of and settled, of the fortune, or yearly income of those who may be supposed capable of supporting the expense of tea that may pay duty; and all under that rate, ought to be prohibited the use of it.

For example; if it shall be thought that a person who has of yearly income, whether from land, money, trade, or any art or profession, £50, £100, or any other sum to be fixed in the bill, ought to be permitted to make use of tea; then all who cannot show, that they have such yearly income, may be prohibited; and the making use of tea in their family by themselves, their wives, their children, their servants, or any other persons, may be made penall, and the *onus probandi* of the extent of their yearly income may be layed on them; with a provision, that the evidence offered by them may be endangered by their oaths; as also with a provision, that the offence, I mean the use of tea in their families, may be proved also by their oaths if the prosecutor thinks fit.

As these provisions are pretty severe, I think the penalty for the first offence at least, ought to be very moderate. I should propose 20 or 30 shillings; to be doubled for the second offence; and so to rise, either by doubling the last sum, or by adding 20 or 30 shillings for every subsequent offence.

I would give the right of informing to the officers of excise, because they are subject to direction, and correction in case of neglect, oppression, or collusion. I would give the one half of the penalty to the informer, and the

improvement of the revenue, it is evident, behoved in a very short time to be utterly unavailing.

Amidst the tempest of faction, and the heat of party zeal, that was scorching and distracting the nation, the emissaries of

other half to the cashier for the manufactures, for the use of manufacturers, to gain favour to the prosecution, and lessen the odium that it might at first, and amongst unthinking people, raise.

I would make the penalty recoverable upon a summary complaint before the baillies within the burgh, or before the sheriffs, stewarts, baillies of regality, or any one justice of peace in the landward, together with the full costs of suit. But then, to prevent partiality, in case of the magistrate within burgh, or the country justices acquitting contrary to evidence, I would give the informer; with the concurrence or approbation of the board of excise, a power of exhibiting a summary complaint before any of the three courts that shall be thought proper, against such magistrate or judge; and I wou'd make the penalty of acquitting contrary to evidence, deprivation, incapacity to hold again the office forfeited, with double or treble cost of suit. *N. B.* As the projected regulation, tho' intended to promote the revenue, gives nevertheless no duty to the crown, and as the offence to be punished is the trespass of a judge contrary to evidence, there is no occasion of giving the cognisance to the court of exchequer; and as the chief end of the severe provision proposed, is, to frighten from wilfully wrong-doing, I believe the effect wou'd be best attained by confining the conviction to the court of session.

As the lowest rank of housekeepers make use of tea, so the servants, particularly the females, in better families, make it their morning and afternoon's dyet; now I would submit it, whether the use of it to all servants might not be prohibited, under the like penalty, to affect the master or mistress of the family if unmarried, and recoverable in the same manner, and upon the like proof, as in the other case.

It may merit consideration, how far some persons whose circumstances may bring them within the prohibition, who by a long custom have been so habituated to tea drinking, that an alteration of dyet may be extremely uneasy if not prejudicial to them, may not be allowed some indulgence; and if that sentiment prevail, such indulgence may be given to such persons as shall enter their names with the excise officer, and pay down, for a license to make use of tea for a year from the date of such entry, forty shillings, or any other particular sum to be limited; but subject to the condition, that no tea shall be used in the family by servants, &c. If this small sum could be appropriated to the manufactures, it would be convenient; but if that meets with opposition, I do not insist upon it.

After having given your lordship this rude sketch of my project, I am conscious, that, as it has much novelty in it, it must appear uncouth, and requires a good deal of consideration to bring men to approve of it, especially in the part of the world where your lordship now is. But, as it is intended only for Scotland, and is to have its execution there, I should hope the necessity

James were by no means idle, and the general distraction of the counsels of the different European powers could not fail to inspire them with hopes of assistance from abroad, which they had often indulged in seasons much less propitious to their in-

must appear so urgent to the ministers with whom your lordship will consult, that, if no better or more effectual remedy can be fallen on, this or some such method will without loss of time be pursued.

As for the reception of it in this country, (and that is chiefly to be considered, as it is to affect us only) I think I can answer for the sentiments of all sober considerate persons, who, besides the considerations already stated relating to the revenue and the manufactures, are, and must be conscious, that to this rascally practice of running and making use of our tea, the loss of our bullion, and the present poverty of our country is in a great measure owing. No man in the kingdom, in conversation, contraverts this; and those whom the prohibition is not to affect, one should think should be glad to see it take place.

But, besides, there is reason to expect a hearty concurrence of all persons of any condition, from two separate considerations, which I shall just mention.

The first is very generall, and regards all heritors and tennents, or farmers, in Scotland: it is grounded on this, that, except in the Highlands, and some particular districts, all the rents in Scotland arise from grain. In many countrys the rent is payable in grain; and where it is payable in money, the tennent, or farmer, must make money of his grain before he can pay the rent. Now, as preventing the consumption of one third, or one half of the grain produced, must necessarily, in case of no demand from abroad, (which often happens) lower the price of the whole in a very great proportion, so much must the heritor or the tennent in the several cases lose of his real income. And if that loss should be rated at one fourth of the whole, or 25 per cent. when the brewery is no greater than it is at present, and when there is no foreign demand, the computation of the loss would, I doubt, be too low; and on this consideration I should hope the heritors and farmers of Scotland, who can make the least use of their understanding, must favour the scheme.

The second confines itself to the royall burghs that have the grant of the two pennies on the pint already mentioned; and in these the wrong complained of is chiefly committed, and the severity of the remedy will be principally felt. I have already taken notice, that the produce of their grants is fallen with the excise; and thereby they, and in particular Edinburgh, are left in a miserable condition, struggling with their debts, without any hopes of relief but from the recovery of the excise. Now, tho' the villanous little smugglers in such burrouws, and the mean creatures who retail or use their goods, may raise a cry, yet it is to be hoped the magistrates that are, that have been, or that hope to be, and all the substantial part of the burgesses, will propagate the contrary opinion, and speedily put an end to the clamour.

By the earnestness with which I contend for this or for some other immediate remedy, your lordship will be apt to imagine the use of tea to be the

terests. The clans, in the bondage of ignorance, and subjected entirely to the will of their chiefs, were many of them still devoted to the exiled family; and the forming of the Black Watch—independent companies that had been raised for the protection of the country from internal ravages—into a regiment, and taking them abroad, contrary to what had been publicly promised them, while it risked the security of the counties bordering on the Highlands, raised also the indignation of the Highlanders, and awakened the fears of the more prudent political speculators, lest it might issue in a serious derangement of the public tranquillity. The lord president Forbes was particularly alive to the danger that was to be apprehended from this quarter, and did not fail to apprize the ministry of it, as well as of the futile effects of some of their former measures for securing the peace of the Highlands; but how seldom has there been found, even in this free and enlightened country, a ministry capable of relishing plain truth when it contradicted their own dogmas, and was opposed by the misstatements of interested sycophants and flatterers?

It had long been desired on the part of the pretender's friends, that he should attempt to gain over to his interest the duke of Argyle. Lockhart had from the very first thought the scheme perfectly practicable, and had pointed out many favourable opportunities for accomplishing it, all of which had some low or other been neglected. Now, however, when the duke;

only cause of the decay of the excise and malt duty in my opinion, and that this cure alone adhibited will restore these revenues; and on this subject I must explain myself, by informing your lordship, that the excessive use of brandy and our foreign uncustomed spirits, has cost this poor country very dear, that it has been from the beginning, and continues to be, a very great drawback upon the revenue; and that if it could be restrained, these revenues would undoubtedly rise and improve to a certain degree; but then it appears to be certain, that the use of uncustomed spirits never did half the mischief that tea has done; that these spirits were as much used, I mean by the two-penny drinkers, when the excise run to £40,000, as they are now; and, therefore, that the vast decay now felt and complained of is chiefly, tho' perhaps not only, owing to that most mischievous drug. Now, when the use of it is restrained by the intended law, or by any other that may answer the purpose, I should hope, that, for the further promoting the revenues, the strictest orders will be given, to put the laws against the use of spirits, especially those that are uncustomed, to due execution."—Culloden Papers, p. 190—194.

chagrined by the conduct, or disappointed in the share of influence which he enjoyed under the new ministry, resigned all his employments, the pretender, no doubt with a view to that grand attempt which he had already in contemplation, wrote him a very flattering letter. His grace, however, was too expert a politician not to see, that from the general progress of opinion, as well as from the state of property, the cause of the Stuarts was a hopeless one, and he sent the letter to his majesty's ministers. At the same time, it could not have been of great consequence to the cause of the Jacobites even though the pretender in this attempt had succeeded, as his grace had now attained upwards of sixty years, had been for some time paralytic, and died the following autumn.* The letter, however, was no doubt genuine, though it was given out, especially by those who knew certainly that it was so, as a mere forgery, intended not to serve the pretender, but to hurt the duke of Argyle; and the prudent precautions, with regard to the Highlands, recommended to the ministry by the best friends of peace and order, seem to have been entirely overlooked, under a very foolish idea, as was shortly after proved by the event, that there was no danger from that quarter.

In the meantime religious disputes were going on to still greater heights, without any thing like a reasonable attempt being made to put an end to them. Satisfied with the countenance of the public authorities, the leaders of the public measures of the church seem to have considered the people to be of very little account, and in many instances treated them with marked contempt, as if to insult them had been the only way to secure their attachment and fidelity. The assembly, which met this year, May the twelfth, 1748, however, took no particular notice of the secession, and perhaps passed as few objectionable acts as some of its predecessors had done. The Rev. Robert Wallace, one of the ministers of Edinburgh, was chosen moderator, and Alexander, earl of Leven, was again commissioner. The most important public business brought before this assembly was a scheme for providing an annuity to the widows, and a stock to the children of ministers, which was

* *Life of John, Duke of Argyle*, pp. 341, 342.

considered in a committee of the whole house, and with some amendments transmitted to the assembly, by whom it was approved of, and a resolution passed to apply for an act of parliament for rendering the scheme effectual.

There was also a petition laid before the assembly by the presbytery of Middlebie, with consent of the presbyteries and synods concerned, representing that the said presbytery consists of eleven parishes, six of which are in Annandale, viz. Annan, Hoddam, Dornock, Middlebie, Kirkpatrick, and Graitney; and five in Eskdale, viz. Langholm, Ewes, Westerkirk, Eskdale muir, and Canonby, the first six of which might be more conveniently erected into a presbytery, by the name of the presbytery of Annan, with the addition of the parishes of Cumbertrees and Ruthwell from the presbytery of Lochmaben, which at present consists of fifteen parishes, and the other five into another presbytery, to be called the presbytery of Langholm, with the addition of the parish of Castleton from the presbytery of Jedburgh, which likewise consists of fifteen parishes, all which was agreed to, and the "synod of Dumfries authorized at their first meeting to appoint the time of the first meeting of the said presbyteries of Annan and Langholm, and the assembly declare these presbyteries to have the same powers and privileges which any other presbytery have by the word of God, and constitution of this church."*

A number of disputed cases between patrons, heritors, and congregations, the melancholy results of the exercise of the antichristian law of patronage, were as usual decided by this assembly, some of them more glaring than others, but all of them disreputable to the court, and showing that it was guided rather by the maxims of worldly policy, than by the institutes of the gospel, and the Spirit of Christ Jesus. But after this these proceedings are so common, that, except in cases of more than ordinary particularity, the detail of them would be tedious and uninteresting.

The assembly met again on the tenth of May, 1744, when the Rev. John Adams, minister at Dalrymple, was chosen moderator, Alexander, earl of Leven, being continued commis-

* Printed Acts of Assembly, 1743.

sioner. The great defalcation in the excise being generally imputed to the practice of smuggling, and the greater part of the counties of Scotland having met and published resolutions for discouraging it, the assembly also passed an act and recommendation against it, which they enjoined to be read from all the parish pulpits in Scotland, betwixt and the first of August next. They also addressed his majesty on the present critical juncture of affairs, expressing their abhorrence of the late intended invasion in favour of a popish pretender, and their zealous adherence to the protestant succession in his majesty's royal family.

But the most important matter that came before this assembly, was the case of the Rev. William Leechman, professor of divinity in the university of Glasgow, who had published a sermon on the nature, reasonableness, and advantages of prayer, in which all these were elegantly and philosophically set forth without any reference to the scheme of redemption, allusions to which were reckoned vulgar and incompatible with the classic style of preaching now generally aimed at, and of which the Rev. professor was ambitious of exhibiting a perfect model. This sermon gave great offence to the more serious part of the church, and was complained of to the presbytery of Glasgow, who appointed a committee to draw up remarks upon it; but the professor, aware that it is easiest escaping in a crowd, carried the matter by complaint before the synod of Glasgow and Ayr, which, notwithstanding of an appeal by the presbytery to the assembly, having considered the professor's answers to the remarks made by the presbytery, found no reason to charge him with any unsoundness in the faith.

When the matter was brought before the assembly, after long reasonings, a committee was appointed to bring in an overture concerning it. To this committee the professor presented a paper, making strong professions of orthodoxy; and as he had already signed the Confession of Faith, as the confession of his faith, professing his willingness to do it again, on which the committee found, "That the professor has given abundant satisfaction concerning the orthodoxy of his sentiments, and that there is no ground or occasion remaining for any further trial of the said professor in respect of that sermon, and that

the presbytery of Glasgow be prohibited to commence or carry on any further or other proceedings against the professor on account of that sermon."

"The assembly, having heard the same report and overture, did, without a vote, agree to approve thereof, with this explanation: 'that by the expressions in the narrative, viz. and particularly the passages chiefly excepted against, no more was intended by the committee, as by several members thereof was declared, nor is intended or meant by this assembly in approving their overture, than that the committee, and thereafter the assembly, considered the passages in the said sermon, that had been remarked upon by the presbytery of Glasgow, and another passage taken notice of by some members of the committee of assembly, but not that either the committee or the assembly had read over or considered the whole of that sermon.' "•

The above sentence has been a source of great reproach to the church, and has been loudly condemned, not only by dissenters from her communion, but by many who were disposed to put the most favourable construction upon every part of her conduct. The Reformed Presbytery, now the Reformed Synod, designated the professor's sermon, a Christless sermon, and brought forward this decision of the assembly as one proof among others, "that this church appears orthodox in little (or no) other sense than the church of England is so, viz. by subscribing the thirty-nine articles which are Calvinistical in the doctrinal parts, while yet the Arminian system is generally received and taught by her clergy."† And Mr. Willison, than whom no man was more tender of his mother church's reputation, remarks, "Had Mr. Leechman written what he saith in that sermon by way of a letter to a Deist, or an enemy to prayer, in order to prove the reasonableness and advantages of prayer, it might have passed without observation. But for a preacher of Christ to deliver such a sermon to a Christian audience, that perhaps never heard him before, and might never hear him again, and to publish it too in this form to the whole world, is to me very surprising and

• Printed Acts of Assembly, 1744.

† Act, Declaration, and Testimony, &c. fifth ed. p. 91.

offensive. For when he proposes to teach his christian hearers and readers the nature of prayer, he presents God as the object of it, merely as our Creator, without any relation to Jesus Christ, the only Mediator betwixt God and man. He never speaks of God as upon a throne of grace, nor of the merit, satisfaction, or intercession of Christ, through which prayer can only be offered acceptably to God, more than the old heathens; nor speaks he of the influence or assistance of the Holy Spirit, by which the duty is to be performed. The disposition of mind which he chiefly recommends to his hearers for acceptance with God is, an assured trust and confidence in the mercy and goodness of their Creator, without once telling them through all the sermon, (which is long) of the channel through which God's mercy and goodness doth flow to men, or that he is a consuming fire to sinners out of Christ. Nay, without noticing the scripture account of the conveyance of divine mercy, he asserts, that those who pray, trusting in their Creator's mercy, shall be heard and accepted. See Sermon, second edit. pp. 7, 8, 10, 42. I know it is said that the preacher, notwithstanding these defects, is orthodox, and that he made sound declarations for the truth before the judicatories; but in my humble opinion, let his after declarations, when in hazard of censure, be never so sound, yet the foresaid omissions in a printed sermon are so very culpable, and such a bad example to students of divinity, in one that is their teacher, that the sermon ought to have been disapproved, the preacher admonished, all preachers warned against such a Christless way of preaching, and a warm recommendation given them to observe the seventh act of assembly, 1736, concerning evangelical preaching. Nay, the presbytery of Glasgow deserved thanks for the pains they had taken to inquire into that sermon, in obedience to the said act of assembly, which enjoins all preachers to have a special regard and eye to Christ in all their sermons, and presbyteries to see that they do it. "Alas!" he exclaims, "it seems to portend little good to this poor church, when men so little versant in the Christian mediatory scheme, or so unaccustomed to evangelical preaching and teaching, are made professors of divinity, and are intrusted with the education of young men for the holy ministry!"*

* Fair and Impartial Testimony, &c. pp. 126, 127

Mr. Robe of Kilsyth, who also published an account of this affair, observes, "that Mr. Leechman having, when a probationer, preached frequently at Glasgow, was far from being looked upon as an evangelical preacher. That he offended many good judges, by his preaching in such a philosophical and abstract way, as if he had resolved the reverse of the apostle's determination, 1 Cor. ii. 2., and that some ministers gave him serious cautions and warnings concerning this. That a sermon preached by him before the synod of Glasgow and Ayr, and afterwards published, did not remove the discontent, for though the mysteries of religion and peculiarities of Christianity were mentioned, yet, both in prayer and sermon, it was done in such a sparing manner, comparatively with other subjects, as if they were but the less principal objects of Christian knowledge and faith. That his publishing his sermon upon prayer, in 1743, increased the offence. And that upon his being elected professor of divinity, the offence became more general, and was then accompanied with a deep concern lest that election might prove of evil consequence to the purity of doctrine and the ministry of this church, for it was observed by many, that sermons without Christ, and consisting of morality, without that relation to the gospel of Christ which alone can render it acceptable in the sight of God, and preachers of them were increasing, and they were afraid that the youth taught by the author of the sermon in debate would come forth rather more exceptionable than their teacher, as is ordinary in such cases."* How fatally these melancholy anticipations have been fulfilled, the neglected and the half empty parish churches in many places of the country, but too abundantly testify.

The assembly, which sat down on the ninth of May, 1745, Dr. William Wisheart, moderator, Alexander, earl of Leven, commissioner, had the Scripture Paraphrases, now in use in the church, laid before them, which they referred to a committee, in order to their being printed for the inspection of presbyteries. They also passed an act with regard to the widows' fund, which was now in full operation, and an act concerning the character and behaviour of ministers and probationers; which, with the

* Scots Magazine, vol. vi. p. 244.

usual number of contested settlements, seem to have been the principal matters brought before them.

"The associate presbytery, considering that, agreeably to scripture precepts and patterns of perpetual obligation and use, the reformation of religion in Scotland, had, through the several periods thereof been carried on in a way of covenanting, wherein the kingdoms of Scotland, England, and Ireland, did concur, anno 1643; and that in pursuance of covenant engagements then come under, our Confession and Catechisms were established, and a great pitch of reformation, as to the worship and government of the church, was attained unto, did, in a very early part of their progress, appoint a committee of their number to prepare and lay before them an overture for renewing the national covenant of Scotland, and the solemn league and covenant of the three kingdoms, in a manner agreeable to their present circumstances." This overture, after sundry readings, various reasonings, and several amendments made thereupon, was approved of at Edinburgh, on the twenty-first of October, 1742, the same day in which they passed the act concerning the doctrine of grace. This approval was by an unanimous vote of all present, with the exception of Mr. Thomas Nairn, who had adopted the particular views of the old dissenters, or as they are vulgarly called Cameronians, with respect to the present civil government; and contended for renewing the covenants in the express words used by our ancestors, with an exception of some particulars, where there must be an alteration of the phrase, as was done by the old dissenters at Auchensaugh, near Douglas, in the year 1712.*

The presbytery, desirous of proceeding in a matter of such vast importance with all due deliberation, agreed that there should be access for all members, present or absent, to propose any difficulties they might feel on the subject, against next meeting, and in this state the matter was left from one meeting to another, till the twenty-third of December, 1743; Mr. Nairn, however, at the very first meeting of presbytery, which was at Stirling, December the twenty-third, 1742, formally dissented

* Reasons of Dissent by Mr. Nairn.—Gib's Display of the Secession Testimony, &c. &c.

from the paragraph that respected the old dissenters; and two other brethren having some scruples about the said paragraph standing in the confession of sins, as they conceived that the reduplication of the bond thereupon would amount to a blinding of civil and ecclesiastical matters in the oath of God, in renewing the covenants, which is not competent unto a church judicatory, the presbytery did unanimously, these scruples being still insisted upon, translate the paragraph complained of into a separate act, at Edinburgh, on the third day of February, 1743, on which day Mr. Nairn gave in to them reasons of dissent and secession, and withdrew himself from their communion.

The presbytery having appointed a committee of their number to prepare a draught of answers to Mr. Nairn's reasons of dissent, together with a declaration and defence of their principles, respecting the present civil government, the same was laid before a meeting of presbytery at Stirling, on the fourteenth of September, 1743, and on the twenty-ninth of the same month, was approved of, and soon after published by presbyterial appointment, with the above mentioned act of the twenty-third of February, 1743, appended to it. This is a performance which does great credit to the principles and to the talents of the associate presbytery—laying down the true principles of liberty without any alloy of licentiousness—marking the limits of civil and ecclesiastical jurisdiction, with a precision that has been seldom attempted, and while its direct object is to vindicate and enforce the authority of the prince, it most successfully exhibits the duty and the privilege of the subject.

After all this opposition from within, and still more from without, the presbytery having passed their act for renewing the covenants, at Stirling, on the twenty-third of December, 1743, continued their meeting to the ensuing week, and on the twenty-eighth day of that month, which was observed as a day of public fasting, all the ministers then present did join in a public acknowledgment of sins, and with uplifted hands, before a numerous congregation, in the following engagement to duties:—"We all, and every one of us, though sensible of the deceitfulness and unbelief of our own hearts, and however frequently perplexed with doubts and fears about our actual

believing, yet desiring to essay in the Lord's strength, and in obedience to his command, to glorify God by believing his word of grace contained in his covenant of promise, and in the faith of his promise to devote ourselves unto the Lord in a covenant of duty, WE DO, with our hands lifted up to the MOST HIGH GOD, hereby profess, and before God, angels, and men, solemnly declare, that through the grace of God, and according to the measure of his grace given unto us, we do, with our whole hearts take hold of the LORD JESUS CHRIST, as the only propitiation for our sins, his righteousness as the only foundation of our access to, and acceptance with God, his covenant of free and rich promises, as our only charter for the heavenly inheritance, his word for our perfect and only rule of faith and practice, his SPIRIT for our alone guide to lead us into all truth revealed in his holy word; and to which nothing at any time is to be added, whether by new revelations of the Spirit, or traditions of men. We avouch the Lord to be OUR GOD, and in the strength of his promised grace, we promise and swear by the GREAT NAME OF THE LORD OUR GOD, that we shall walk in his way, keep his judgments and commandments, and hearken to his voice; in particular, that we shall, by the Lord's grace, continue and abide in the profession, faith, and obedience of the foresaid true reformed religion, in doctrine, worship, presbyterial church government and discipline, and that we shall, according to our several stations, places, and callings, contend and testify against all contrary evils, errors, and corruptions; particularly Popery, Prelacy, Deism, Arianism, Arminianism, and every error subversive of the doctrine of grace; as also, independency, latitudinarian tenets, and the other evils named in the above confession of sins.

“ In like manner we promise and swear, that by all means which are lawful and warrantable for us, according to the word of God, the approved and received standards of this church, and our known principles, we shall, in our several stations and callings, endeavour the reformation of religion in England and Ireland, in doctrine, worship, discipline, and government, according to the word of God, and to promote and advance our covenanted conjunction and uniformity in religion, Confession of Faith and Catechisms, form of church government,

and directory for worship, as these were received by this church.

“ And in regard we are taught by the word of God, and bound by our covenants, national and solemn league, to live together in the fear of God, and in love one to another, and to encourage one another in the work and cause of the Lord, and that denying all ungodliness and worldly lusts, we should live soberly, righteously, and godly, in this present world, Therefore, in a dependance on the Lord's grace and strength, we, in the same manner do promise and swear, that we shall, in our several places and callings, encourage and strengthen one another's hands in pursuing the end and design of this our solemn oath and covenant, and that we shall endeavour a life and conversation becoming the gospel of Christ, and that in our personal callings and particular families, we shall study to be good examples to one another of godliness and righteousness, and of every duty that we owe to God and man. And that we shall not give up ourselves to a detestable indifferency and neutrality in the cause of God, but denying ourselves and our own things, we shall above all things seek the honour of God, and the good of his cause and people. And, that through grace, forsaking the counsels of flesh and blood, and not leaning upon carnal confidences, we shall endeavour to depend upon the Lord, to walk by the rule of his word, and to hearken to his voice by his servants. In all which, professing our own weakness, we earnestly pray to God, who is the Father of mercies, through his Son Jesus Christ, to be merciful unto us, and to enable us, by the power of his HOLY SPIRIT, that we may do our duty, and to the praise of his grace in the churches. Amen.”*

At the same time, and in presence of the congregation, they subscribed the engagement or bond as follows, viz. “ We undersubscribing ministers, members of the associate presbytery, do subscribe the above bond with our hands at Stirling, this twentieth and eighth day of December, one thousand seven hundred and forty-three years. The said bond having been first solemnly sworn by us, Ebenezer Erskine, minister at Stir-

* Acts of the Associate Presbytery, printed at Glasgow, by John Bryce, pp. 129—132.

ling, Ralph Erskine, minister at Dunfermline, James Thomson, minister at Bruntisland, Alexander Moncrief, minister at Abernethy, Thomas Mair, minister at Orwel, James Fisher, minister at Glasgow, David Smyton, minister at Kilmaurs, William Hutton, minister at Stow, Adam Gib, minister at Edinburgh, Andrew Clarkson, minister at Craigmyle, John Cleland, minister at Balfron, George Brown, minister at Perth, William Campbell, minister at Ceres, Thomas Ballantyne, minister at Sanquhar, David Horn, minister at Cambusnethan."

The same acknowledgment of sins was made, and the same engagement to duties solemnly sworn and subscribed at Falkirk, on the fourteenth day of March following, by James Mair, minister at Linton, Patrick Matthew, minister at Midholm, James Scott, minister at Gateshall, John Whyt, minister at Dunse, Henry Erskine, minister at Falkirk.*

The following act respecting ministerial and Christian communion was agreed to by the presbytery met at Edinburgh, on the same fourteenth day of February, 1744:—"The presbytery considering the grievous and growing course of defection by the present generation in these lands from the truths, cause, and institutions of Christ revealed in his holy word, and maintained in our reformation standards, as also the dreadful prevalence of latitudinarian principles, for uniting persons of all denominations in church communion, to the overthrow of the government of Christ's house, and the manifest prejudice of all his precious truths; and considering likewise the many loud calls at this day, on the foresaid and other accounts, to state more expressly the terms of ministerial and Christian communion, agreeable to the word of God, the principles of this church, and the duty of the Lord's remnant in these lands; therefore for these and other weighty reasons, the presbytery did, and hereby do, resolve, agree, and determine, that the renovation of the national covenant of Scotland, and the solemn league and covenant of the three nations, in the manner now agreed upon and proposed by the presbytery, shall be the term of ministerial communion with this presbytery, and likewise of Christian communion in the admission of the people to sealing ordinances, secluding therefrom all

* Gib's Display of the Secession Testimony, vol. i. pp. 251, 252.

opposers, contemnners, and slighsters of the said renovation of our solemn covenants; and, moreover, as the presbytery judge that much tenderness and lenity is to be used with the weakest of Christ's flock, who are lying open to light, and minting to come forward in the said cause, that they may not be at first instance secluded from sealing ordinances, so they agree, that all such are to be secluded, who, after deliberate pains taken for their information, with all due meekness and patience, shall be found, by the session or superior judicatories they are in subjection unto, to be neglectors and shifters of this important moral duty, or not to be themselves in the due use of means for light and satisfaction thereanent." *

On the day following, February the fifteenth, the following act was passed, anent the order to be observed in renewing the covenants:—"Whereas the presbytery have, by a late act, condescended upon a solemn acknowledgment of the public sins and breaches of our solemn covenants, with a bond containing a solemn profession of our faith and engagement unto the duties contained in them, appointing that these covenants be renewed in the said acknowledgment and bond by all such as shall willingly offer themselves unto the Lord in this solemn work and duty, they agree and resolve, that in renewing them accordingly, the order following be observed:—

"1st. That the foressaid solemn acknowledgments of the public sins and breaches of our covenants shall be publicly joined in and made, whereupon these covenants shall be publicly sworn and subscribed in the foressaid bond.

"2d. That none shall be admitted to swear or subscribe the covenants but such as have a competent measure of knowledge, are free from all known scandal, and have a conversation becoming the gospel, as these only can make a credible profession of willingly offering themselves unto the Lord in this work.

"3d. That after the people in accession to this presbytery have had accession to peruse, consider, and deliberate upon the act for renewing the covenants, the sessions in the several associate congregations under the presbytery's inspection, whether

* Acts of the Associate Presbytery, printed at Glasgow, 1779, pp. 132, 133.

such as have a minister settled among them, or such as are occasionally constitute by a minister of this presbytery, shall severally fix upon a convenient day for public fasting and humiliation, upon the grounds and reasons laid down in the solemn acknowledgment of public sins and breaches of our covenant, as also for swearing and subscribing the covenants in their respective bounds, and that intimation hereof shall be made unto the congregations severally on the Lord's day immediately preceding.

"4th. That upon the said day of fasting and humiliation, (two ministers of this presbytery being present in vacant congregations, and the minister in a settled congregation being assisted by one of his brethren,) after prayer and preaching of the word, the national covenant of Scotland shall be first read; and next the solemn league and covenant of the three nations; that then the fforesaid acknowledgment and bond shall be likewise read; that after all these are read, one of the ministers shall in prayer acknowledge and confess the breaches of our covenants, and supplicate the Lord for his pardoning mercy and gracious presence in the solemn action to be gone about; that immediately after prayer the bond shall be again read by the minister; that during the reading thereof, all present, who are willing and qualified as above for coming under the oath of God, shall stand with their right hands lifted up to the Lord, and that then the solemn action shall be concluded with exhortation and prayer.

"5th, That the day immediately following, one of the ministers shall convene the people for prayer and exhortation from the word, unto steadfastness in the oath and covenant of the Lord; and that when public worship is over, the covenants shall be subscribed as above, in presence of the ministers."*

Thus were the reformation principles of the church of Scotland fully recognised and avouched in the secession, and the ground that had been lost by the settlement at the revolution completely regained, only without the sanction of the civil powers, and congregations were beginning to act up to the

* Acts of the Associate Presbytery, printed at Glasgow, 1779, pp. 132—134.

views of the presbytery, those of Abernethy and Ceres having entered into the bond during the summer of this year, when a stop was put to further procedure in that work, by a circumstance that could scarcely have been anticipated, and an opposition from a quarter whence it certainly was not expected. These, however, will be explained when we come to detail the proceedings of the associate synod.

Mr. Thomas Nairn having seceded, as we have seen, from the secession, applied to the societies of old dissenters, who, since the defection of Messrs. Shields, Linning, and Boyd, had been without any publicly ordained teacher, except Mr. John Mackmillan, as we have already narrated, was accepted of, and on the first of August, 1748, he, with Mr. Mackmillan and some ruling elders who had been regularly ordained to that office, constituted themselves a presbytery, under the designation of the Reformed Presbytery. This presbytery soon after licensed Mr. Alexander Marshal, who had been for some time engaged in the study of divinity. Mr. Marshal soon after received a call from the united societies, and was ordained to the work of the holy ministry.

Being thus unexpectedly brought into a regularly and fully constituted church state, the societies considered themselves called upon to make an appearance for what they considered the principles of the reformation and the cause of truth, in a manner corresponding to their improved circumstances, which they did by renewing the covenants at Crawfordjohn, in the year 1745, much in the same way and upon the same grounds as had been done at Auchensaugh in the year 1712.*

In the progress of the above procedure on the part of the seceders, their friends, who still continued in the establishment, appear to have looked on with amazement, no doubt "wondering whereunto these things would grow;" and, as they were despised and ridiculed by the leading party in the church, to whom they still adhered, and by that adherence had lost much of their credit with the people, it is probable they did not look upon their dis-

* Summary of the History, Principles, and Testimony of the Reformed Presbyterian Church in Scotland, pp. 53, 54.

senting friends without some degree of envy; at any rate they attacked their procedure with great virulency, as precipitate, presumptive, and unseasonable. At the same time, that they might not be thought deficient in public spirit, or in regard for the general interests of religion, they published, evidently in imitation of their bolder and more forward brethren, "a Fair and Impartial Testimony, essayed in name of a number of ministers, elders, and Christian people of the CHURCH of Scotland, unto the laudable principles, wrestlings, and attainments of that CHURCH, and against the backslidings, corruptions, divisions, and prevailing evils both of former and present times, and, namely, the defections of the established CHURCH, of the nobility, gentry, commons, seceders, episcopalians, &c. containing a brief historical deduction of the chief occurrences in this church, from her beginning to the year 1744, with remarks and humble pleadings with our mother, to exert herself to stop defection and promote reformation. Attested and adhered unto by sundry ministers."*

This is a performance of very considerable merit, and though neither so correct nor so impartial as its title imports, deserves to be better known, and may be consulted with advantage by all who take an interest in the history or prosperity of the Scottish church. Nothing indeed can be a stronger proof of the impropriety of the conduct of these ministers in continuing to adhere to the prevailing faction in the church, than the fate of this their performance, which, to all appearance, never had the weight of a feather upon any of that faction's proceedings. By the seceders it was lost sight of among the more pointed performances of their own body, and by churchmen avoided as bringing before them facts which it was painful to hear, and evils which, in their present circumstances, were incurable, and of course has been long since nearly forgotten. How much, upon the

* The author was the well known and worthy Mr. John Willison of Dundee, and his associates were Messrs. John Gillies, minister at Carraldstone; John Row, minister at Navar and Lethnot; James Small, minister at Carmylie; David Blair, minister at Brechin; George Aitken, minister at Montrose; George Lyon, minister at Longforgan; George Marr, minister at Murrose, &c. &c.

whole, these ministers, elders, and private Christians were at one with seceders, the few following paragraphs will demonstrate.

“ That we may draw to a conclusion,” say they, “ we shall briefly sum up the principal sins, errors, evils, and defections in the church and land which we think ourselves bound to lament and mourn over, declare, warn, and bear testimony against, in order to promote reformation and healing in the land; for although God in his boundless sovereignty and rich grace be pleased, in a backsliding time, to grant some remarkable reviving to his work in particular corners, to show his willingness to return to his ancient dwelling-place, yet we despair of any general reviving or national reformation until we are sensible of public sins, errors, and defections, as well as those of a more private nature. Wherefore we desire to be humbled for, declare, and testify against all doctrines and practices which are opposite to the Bible, and to our Confession of Faith, Larger and Shorter Catechisms, directories for worship and church government, which we judge drawn out of and founded upon the scriptures of truth. And particularly against all Deistical and Socinian errors and doctrines, which tend to decry the necessity of supernatural revelation, and cry up the sufficiency of reason or the light of nature to guide men to eternal happiness.

“ And against all Arian errors, and those doctrines which anywise disparage the Christian revelation, or derogate from the scheme of salvation through the mediation and righteousness of Jesus Christ our only Saviour—or from the doctrine of the glorious Trinity and the oneness of the Godhead—or from Christ’s true supreme Deity, his self-existence, necessary existence, independence and equality with the Father—or from the true Deity of the Holy Ghost and his equality with the Father and Son—or from the truth of Christ’s manhood, and of his priestly office, and the necessity of his death as a real and proper sacrifice to satisfy divine justice for our sins.

“ All popish errors, idolatry, and superstition, maintained either by professed papists, or by protestants who are making advances towards popery, by pleading for a middle state for souls departed, prayers for the dead, the eucharist’s being a

proper sacrifice for sin, the necessity of confessing sin to the priest, and of the priest's absolution in order to forgiveness of sin, of mixing the sacramental wine with water, of bowing to the altar, to the east, and at the name of Jesus, of kneeling at the sacrament, observing saints' days, and uninstituted festivals, and putting them on a level with the Lord's day: the cross in baptism, the organ in praise, the reading of prayers, and other human inventions in God's worship and service.

"All Pelagian and Arminian doctrines, which derogate from God's efficacious free grace in saving sinners, or put in the power of a man's free will or natural abilities to repent, believe, or convert himself, and make a necessary connexion betwixt a man's moral seriousness and his obtaining of saving grace. Also all those doctrines which tend to exalt self, or anywise place it in God's room, and those which make self-love, and the desire of our own happiness, the proper spring and principle of all virtuous and religious actions.

"The magistrate's assuming the power of the keys, and all erastian encroachments upon the intrinsic power of the church, or upon Christ's headship and supremacy over her. The granting an almost boundless toleration to all sects, errors, heresies, and innovations. The imposing the sacramental test upon officers, civil and military, when out of Scotland, as a necessary qualification for their offices, whereby the holy sacrament is much debased and profaned. The multiplying oaths without necessity, introducing the new form of swearing by kissing the gospels, the yule vacance, the repealing the laws against witchcraft, &c. &c.

"The imposing the yoke of patronage upon the church, and spoiling Christian congregations of their right to choose their own pastors, and obtruding pastors upon them. As also the practice of those ministers or preachers who contribute to encourage, strengthen, or bind the yoke of patronage upon the church, by allowing their friends to apply to patrons, and procure presentations for them, or by accepting these presentations, and cleaving to them when obtained; and the practice of those ministers and judicatories who encourage or support these acceptors in this pernicious course, or who obtrude them, or any other persons, upon parishes against their consent.

“ The denying the lawfulness or obligation of our national covenant-engagements, the warrantableness of national churches, confessions of faith, subordination of church judicatories one to another, the maintaining the independency of single congregations upon any superior church judicatory, the lodging the power of the keys, not in the hands of church officers, but in the community of the faithful,”* &c.

The above is a short specimen of the Fair and Impartial Testimony emitted in the Scottish establishment in 1744; and such as above was the state of religious feeling and ecclesiastical controversies in Scotland at the opening of the memorable 1745.

* Willison's Fair and Impartial Testimony, pp. 109—111.

THE HISTORY OF SCOTLAND.

BOOK IX.

1744—1746.

Retrospective glance at some lesser matters going on in the Highlands—The Black Watch—Intrigues of the Jacobites with Cardinal Fleury—Cardinal de Tencin—The Pretender—Measures of the British Ministry—Colonel Cecil and Lord Barrymore taken up—Roquefeuille and the French fleet—Sir John Norris—France declares war—Bill for punishing treasonable correspondence—Parliament is prorogued—Jacobites taken up at Edinburgh—New ministry—New parliament—Charles determines to cast himself on the generosity of his Scottish friends—State of the Highlands—Charles embarks for Britain—Lands at Erisca—Meeting of the Highland chiefs—Difficulties of their situation—Determine at last to take arms—Capture a party of the king's troops—Charles erects his standard at Glenfinnin—Proclamation issued for his apprehension—March of Sir John Cope to the north—March of Charles to the south—The rival armies pass each other near the Corryarrack—Sir John Cope marches to Inverness—Exertions of the Lord President—State of the disaffected chiefs—Charles marches to Perth—To Edinburgh—Conduct of the city of Edinburgh—Is entered by the rebels—Hamilton's and Gardiner's dragoons—Sir John Cope arrives at Dunbar—Marches for Edinburgh—Battle of Gladsmuir—Charles, master of Scotland, issues various proclamations—Efforts of the loyal part of the community—Synod of Glasgow and Ayr—Commission of the General Assembly—Efforts of Charles to bring forward more of the clans—Continued exertions of the Lord President—Vigorous conduct of Lord Loudon—Lovat makes an attack upon Culloden house—Is made prisoner by Lord Loudon—Makes his escape—Difficulties of Charles—Is advised to dissolve the Union, and call a Scottish parliament—Is favoured with supplies of arms, &c.—Resolves to march into England.

WHILE the people of Scotland were thus generally and unhappily occupied with religious dissensions, and the people of England with the squabbling of pretended patriots and pseudo reformers, the Chevalier de St. George was exerting all his influence to bring forward his partisans both at home and abroad. In Scotland his interest had certainly been for a number of years on the wane, and though he had still many friends there, they carried themselves so cautiously, as to be for a time, amidst the multiplicity of objects that engrossed public

notice, almost forgotten. Nothing could be more favourable for their views than to be thus overlooked, and for several years they appear to have carried on their treasonable correspondence without the smallest danger of detection.

The lord president Forbes, the only man at that time, connected with the administration of the government, who appears to have had any proper knowledge of the Highland character, on the appearance of the Spanish war, formed a plan for raising four or five regiments, principally from among the disaffected clans, for the service of the government. These regiments he proposed to place under colonels of known and approved loyalty, but to officer with their own chieftains, who would thus be less liable to be tampered with by the emissaries of rebellion, and insensibly engaged to respect an order of things which, it might be presumed, they disliked chiefly because they did not understand, and from which, as yet, they did not suppose they had derived any benefit. "If government," he remarked, "pre-engages the Highlanders in this manner, they will not only serve well against the enemy abroad, but will be hostages for the good behaviour of their relations at home; and I am persuaded that it will in that case be impossible to raise a rebellion among them." This plan the lord president communicated to the lord justice clerk, (Milton) who communicated it to lord Ilay, at that time the manager of Scottish affairs under Walpole. Lord Ilay hastened to lay it before Sir Robert Walpole, who at once comprehended and admired it, saying he was surprised that nobody had thought of it before. He of course ordered a cabinet council to be immediately summoned, laid the plan before them, expressing his approbation of it in the strongest terms, and recommending it to be carried into effect without a moment's loss of time. Never, however, was the inefficacy of talents and of good intentions, opposed to the overwhelming power of circumstances, more forcibly demonstrated than by the issue of these deliberations. Notwithstanding the strongly expressed approbation of the minister, the council declared unanimously against the measure, at the same time assuring him, that it was for his own sake they did so. Were the plan of the Scottish judge, said they, adopted, how would it affect the patriots? [the opposition.]

Would they not exclaim, "Sir Robert Walpole all along had a design to subvert the constitution! He has succeeded already in forming and imposing upon us a standing army, to join which he is now raising an army of barbarians, for the sole purpose of enslaving the people of England." Walpole was too good a judge of human nature, and too well acquainted with the temper and spirit of the patriots, not to feel the full force of this reasoning, and the measure was relinquished, though he was perfectly convinced that it was wisely conceived, and would have been infallibly successful in its operation.

Though there was not vigour enough in the cabinet to carry through this measure, which was considered by all as of the highest importance, yet one, which it probably suggested, was shortly after carried into effect, though, evidently, in its tendencies, as pernicious as the other promised to be beneficial. This was no other than breaking up the independent companies known by the name of the Black Watch, embodying them into a regular regiment, and marching them, first, into England, and, finally, shipping them off for foreign service. These companies had been embodied to watch over the peace of the Highlands, to prevent conspiracies among the clans, and to suppress those liftings of cattle and goods which they were still too prone to practise on their more wealthy and peaceable neighbours in the low country, and even upon one another, and for upwards of nine years, had answered all these purposes beyond expectation. They were six in number, three consisting of one hundred men each, and three of seventy each. They were stationed in small detachments all over the Highlands, and were commanded by the principal men of the country, but all supposed to be of the loyal or whig clans. The first was given to the notorious Simon Fraser, lord Lovat—and the taking it from him he always assigned as a sufficient reason for his going into the rebellion—the second to Sir Duncan Campbell of Loch-nell; the third to Colonel Grant of Ballindalloch; the fourth to Colonel Alexander Campbell of Finab; the fifth to John Campbell of Carrick; and the sixth to George Munro of Culcairn. As the service on which these companies were employed was considered honourable, and had in it more of amusement than toil, the men who composed them were of a superior

order, cadets of gentlemen's families, sons of gentlemen farmers, and tacksmen, either immediately or distantly descended from gentlemen's families, and they were many of them in the habit of riding to the exercising ground, followed by their servants carrying their firelocks and their uniforms—even in the performance of their military duties, their servants attended them in their quarters, and followed them on the march, carrying their provisions, their baggage, and their arms.* Letters of service, adding four additional companies, and forming the whole into a regiment of the line, under the command of John, earl of Crawford and Lindsay, were issued in the month of October, 1739, and in the month of May following, the whole were mustered and imbodyed into a regiment, on a field between Taybridge and Aberfeldy, in the county of Perth, and were then numbered the forty-third regiment,† though they still retained the name of the Black Watch. Taybridge and the Point of Lyon, a mile below Taymouth castle, continued to be their places of rendezvous for upwards of fifteen months, during which time they were trained and exercised by their lieutenant-colonel, Sir Robert Munro of Fowlis, a veteran officer of tried judgment and experience. During this period their colonel, the earl of Crawford, was removed to the life guards, and brigadier-general lord Sempill appointed in his room.

During the winter of 1741-2, the regiment was marched to the north, where they remained till the month of March, 1743, when they were assembled at Perth, preparatory to their being marched into England, for the purpose, as was said, of being shown to his majesty, George II. When formed into a regiment, the men had been taught to look upon the affair, so far as regarded them, merely as a change of name and of officers, with the additional benefit of more regular pay and duty, which duty, they believed, was to be as usual nothing more than watching over the internal tranquillity of the country; the order for marching into England, therefore, could not fail to excite among them

* Letters from the North of Scotland, vol. ii. p. 24. Sketches of the Character, Manners, and Present State of the Highlands, &c. &c. By Colonel David Stewart, vol. i. pp. 240—243.

† A senior regiment has been since disbanded, by which they have become the forty-second.

some degree of surprise, and perhaps of suspicion, but this latter feeling was laid asleep by the reason assigned for their journey, viz. to be shown to his majesty—than which nothing could be better calculated to soothe their pride and to flatter their vanity. Of course the whole regiment set out upon the march with great good humour, which was heightened as they went along, by the kind reception, and the unbounded hospitality which they experienced both in town and country, on their route through England, more especially in the northern parts of that kingdom. As they approached the metropolis, however, their tempers began to sour, and a variety of circumstances tended to awaken in their minds the most painful misgivings. They arrived in the neighbourhood of London on the twenty-ninth and thirtieth days of April, on the last of which days, his majesty, instead of waiting to see them as they had been told was his desire, and to gratify which they had pleasantly undergone this long and fatiguing march, embarked, with the duke of Cumberland, for Hanover. Having never seen a Highland soldier, he had indeed expressed a desire to see one, and, previous to the march of the regiment, three privates had been selected and sent to London for the gratification of his majesty's curiosity. The three were Gregor M'Gregor, commonly called Gregor the beautiful; John Campbell, son of Duncan Campbell of Duneaves, Perthshire; and John Grant from Strathspey, of the family of Ballindalloch. The latter fell sick by the way, and died at Aberfeldy, but the two former proceeded to London, and were, by their colonel Sir Robert Munro, presented to the king, and performed, in the great gallery of St. James', the broadsword exercise, and that of the Lochaber axe, to the entire satisfaction of his majesty, the duke of Cumberland, marshal Wade, and a number of general officers assembled on the occasion. The two soldiers, who had thus been exhibited as specimens of their countrymen, received each a gratuity of one guinea, which, to show that they considered themselves to have been thereby insulted, they gave to the porter at the palace gate as they passed out.* This transaction could not be a

* Both of these men rose afterwards to eminence. Mr. Campbell distinguished himself by the most signal valour at Fontenoy, was rewarded with an

secret in the regiment, and it was calculated to give full effect to all the wicked insinuations which, ever since they approached the metropolis, had been daily instilled into them by the emissaries of rebellion. That the being reviewed by his majesty was a mere pretence, must now indeed have been evident to all, and it would have been nothing more than following the rules of expediency, as well as of justice, to have told them explicitly that the real object of bringing them so far was only to carry them a little farther to join the army in Flanders, which, though contrary to their original engagement, as they were certainly not afraid of facing an enemy, might not have been so very offensive; but they were maliciously, under the guise of private friendship, told, that they were to be sent to Carolina, the Botany Bay of that time, whither, it was added, the government intended to transport, by force or fraud, the whole of their countrymen.

That such a report, by men in such circumstances, should have been to a considerable extent credited, will not appear strange to any one who has reflected on the constitution of the human mind; yet they still looked forward, with some degree of hope, to the review, which, after all, they hoped might bring them into the presence of majesty itself, or, at least of such as had royal authority, and might be both able and willing to befriend them. To be prepared for the worst, however, under cover of providing for this review, which took place on Finchley common, on the fourteenth of May, a considerable body of them made preparations for the journey, and on the night of the seventeenth, deserted in a body, with their arms and regimentals, taking the route direct for Scotland. Next day the lords justices issued a proclamation, requiring all magistrates to endeavour to apprehend them, and offering a reward of two pounds sterling for each of them, over and above the reward given by act of parliament. Three of their officers, before they had proceeded far on their journey came up with a party of them, and with the exception

ensigney, and was captain lieutenant of the regiment when he was killed at Tinconderago. M'Gregor was promoted in another regiment, and afterwards purchased the lands of Inverardine, in Breadalbane; Sir Gregor M'Gregor, of Poyais notoriety, if he be yet alive, is his grandson.—*Stewart's Sketches*, vol. i. p. 250.

of a corporal and seven men, prevailed upon them to return to their duty. The remainder were overtaken on the nineteenth, at Lady wood, a few miles from Oundle, Northamptonshire, by captain Ball, with a party of Wade's horse, who immediately sent an express to general Blakeney for orders, and in the meantime went into the wood to endeavour to prevail upon them to surrender, but without effect. At seven o'clock in the evening, the general himself, with a squadron of Wade's horse, and one of Churchhill's dragoons, joined captain Ball, and the whole were immediately drawn up so as to secure the passages into the wood. Soon after, the deserters sent a message to the general, requesting that captain Ball might come to them with the conditions they were to expect, and being told it was to lay down their arms and submit, they one and all declared they would sooner be cut in pieces. Being admitted to treat with them in a body, the captain found them drawn up with a thick wood in their rear, before them a ditch, five feet high with a forest hedge upon it, formed a half moon, within which stood about seventy men. Twenty men were placed on each end of it to secure the path, and the remainder were placed to guard the gate that led into the path. Finding some of them in a state of hesitation, the captain encouraged them to surrender, but several of them resolutely presented their firelocks, and swore they would shoot him instantly, if he offered to treat with any one separately.

The captain now delivered them the general's conditions, viz. "If they surrendered peaceably, a favourable report would be made to the lords justices." On their again protesting they would rather be cut to pieces, the captain told them he had hitherto been their friend, and done all in his power to serve them, but if they stood out one hour longer, as they were now completely surrounded, they should receive no quarter. Two of them, at his request, now conducted him out of the wood, and by their discourse finding them inclined to surrender, he absolutely promised them, being brothers, pardon, and taking one of them with him, sent the other back to try what fair words would do with those that remained. This man soon returned with thirteen more, one of whom being again sent back, brought off other seventeen, who were all marched up to the general,

before whom they laid down their arms. The captain going once more into the wood to them, the whole body, ninety-eight in number—a few being scattered abroad in the country—submitted to the general's conditions, and they were all marched back, and committed to the Tower of London. They had provided themselves as much bread, beer, and bacon, as would have served them for a week, and had each fourteen charges of ammunition.

They were tried by a court martial, and on the eighteenth of July, at six o'clock in the morning, Samuel and Malcolm Macphersons, corporals, and Farquhar Shaw, a private, were shot upon the parade within the Tower, pursuant to a sentence of this court. The whole were drawn out to see the execution, and joined in prayer with the unfortunate individuals, who behaved with decency and resolution. Their bodies were put into coffins by three of the prisoners, their namesakes, and buried in one grave, near the place of execution. The remainder were shortly after shipped, fifty for Gibraltar, fifty for Minorca, and forty for the Leeward Islands, thirty for Jamaica, and thirty for Georgia.*

The whole of this business was injudicious and unfortunate. It was below the dignity of the British government in this manner to kidnap, these unsuspecting men, who, for the most part were of the better classes, and, it may be presumed, were also friends to the government; and though, when they entered themselves of the Black Watch, they had no intention of going to fight for German interests in Flanders, their services might, if we may judge from what has often happened since, have been, for no very appalling sum, fairly purchased, and of course honestly and honourably made use of. But it was more especially injudicious, in as much as they were far more useful at home upon their native mountains, than they could possibly be abroad. "These Highlanders," says president Forbes, deprecating this very measure, "now regimented, though their dress, language, and manners qualified them for securing the low country against depredations, yet that was not

* Scots Magazine for 1743; Stewart's Sketches, vol. i. p. 26.—Lord John Murray, afterwards colonel of the regiment, had portraits of the three men who were shot hung up in his dining room. They were all three remarkable for size and figure.—*Ibid.*

the sole use of them. The same quality fitted them for every expedition that required secrecy and despatch. They served for all purposes of hussars or light horse, in a country where mountains and bogs render cavalry useless; and if properly disposed over the Highlands, nothing that was commonly reported and believed by the Highlanders could be a secret to their commanders, because of their intimacy with the people, and the sameness of the language.

“ Now let me suppose that France was to attempt an insurrection in the Highlands, which must be prepared by emissarys sent to cajole, and to cabale, to promise, to pay, to concert, &c. and by arms and ammunition imported and dispersed; and let me suppose this Highland regiment properly disposed and properly commanded, is it not obvious that the operations of such emissarys must be discovered, if not transacted with the utmost secrecy; that the Highlanders who suffered themselves to be tampered with by them, must do so under the strongest apprehensions of being taken by the neck by detachments of that regiment, if their treason were heard of; and that, of course, they must be shy of meeting or transacting with the agent of the pretender, or of caballing, mustering their followers, or receiving or distributeing arms.

“ Now, on the other hand, lett me suppose the same attempt to be made, and the Highland regiment in Flanders; let me beg to know, what chance could you have of discovering or preventing the effect of any tampering in the Highlands. Could any officer, or other person trusted by the government go through the mountains with ane intention to discover such intrigues with safety? Would the pretender's emissarys, or the Highlanders who might favour them, be in any apprehension from the regular troops? Could you propose, with any probability of success, to seize arms or attainted persons? Nay, suppose the government had direct intelligence of the projects carried on, where, and by whom, could they hope to surprise or lay hold of any one person? These questions I dare say you can easily answer, and with me can see, that if France should stumble upon such a design as I have been supposing—remove but that regiment, and there is nothing to hinder the agents of that crown to have their full swing, and to tamper with the poor

unthinking people of the Highlands with as great safety as if there were no government at all in the island. I will say more, I doubt not but in many places of that country, if the people could be prevailed with to rebel, they might receive arms, and be in some sort disciplined for many weeks before the government could have certain notice of it." *

Such was the sound wisdom, and the full information, in the face of which the government acted in this whole affair, and this sagacious and prudent counsellor was not aware how remarkably his suspicions, even to a very iota, were to be verified. Nay, they were already verified to an extent, which though it had been told him, he probably would not have believed. Encouraged by the Spanish war, which they were shrewd enough to see would soon bring on a war with France, and delivered from that surveillance to which by the vigilance of these independent companies they had been for a number of years subjected, the Jacobite chieftains, in the beginning of the year 1740, framed an association, which they signed, sealed, and delivered to Drummond of Bochaldy, to be carried to the Chevalier de St. George, and presented to him at Rome, where he was still resident. This document contained an engagement on the part of the subscribers to take arms, and to venture their lives and fortunes to restore the Stuart family to the throne of Britain, provided the king of France would send over a body of troops to their assistance, and it was signed by lord Lovat, Drummond of Perth, lord Traquair, Campbell of Auchinbreck, Cameron of Locheil, &c. &c. Besides this bond of association, Bochaldy carried with him a list of names comprising the greater part of the chieftains of the Highlands, all of whom the conspirators calculated upon as ready to assist them in case of any favourable demonstration being made from abroad. These papers were immediately forwarded by the chevalier, with his full approbation of all they contained, to the French minister, cardinal Fleury, with a request that his eminence would grant the assistance required. Fleury, however, was not a man to be led rashly into any such undertaking, and gave, in return for this confidence, nothing farther than fair promises, till in 1742, the

* Culloden Papers, p. 362.

powerful aid of Great Britain, given to the house of Austria, was likely to thwart those measures, which, to gratify her ambition, the government of France had resolved to pursue, when it occurred to that sagacious old veteran, as it had often done to his predecessors, that he might be relieved from a principal portion of the pressure, by reviving the pretensions of the Stuart family to the throne of Britain.

In pursuance of this plan, Fleury, in the month of February, 1742, despatched Drummond of Bochaldy back to Edinburgh, where he found most of the conspirators who had signed the association, which had by him been carried to the pretender at Rome, and who, with the addition of some others, "had formed themselves into a society, which they called the concert of gentlemen for managing the king's affairs in Scotland." To these gentlemen Drummond communicated the friendly intentions of the cardinal, who was so well pleased with the intelligence from Scotland, and had the interests of the pretender so much at heart, that, provided he had the same assurances from the friends of the Stuart family in England, he would instantly send over thirteen thousand men, three thousand of which he would land upon the east and west coasts of Scotland, and ten thousand as near London as possible. After having thus made the conspirators fully acquainted with the cardinal's plan of invasion, Drummond returned to Paris, and had an audience of the French minister, who, as he wrote back to his employers, was exceedingly pleased with the account given him of the state of affairs in Scotland, and designed to put his scheme of invasion to the proof without a moment's delay. Nothing, however, was either done or attempted during all that year, and the Scottish conspirators began to be apprehensive that the cardinal had no intention to assist them by an invasion, but that Drummond, to keep up the spirit of the party in Scotland, and to make himself considerable as the agent of the cardinal, had exceeded his instructions, and laid before them a plan such as he thought would please. To ascertain the real state of the case, Murray of Broughton, who had now joined himself to the party, was prevailed on to go upon a mission to Paris, in the month of January, 1743, where, when he arrived, he found that cardinal Fleury was dead, and was succeeded in his office of

premier by the cardinal de Tencin, to whom he had recommended the execution of his design to restore the family of Stuart.

Nothing could be more cheering to the party than this intelligence. Tencin had been elevated to the purple through the interest of the Chevalier de St. George, and was strongly attached to the Stuart family. His temper was violent and enterprising, and his ambition was flattered with the prospect of giving a king to Great Britain, while his better feelings must have been gratified with the prospect of performing such an important service to his benefactor. Long had the Stuart family, with all their adherents, been dependant on the French court, often had their highest hopes been excited by fair promises, or by partial movements, on the part of that court, and as often had they been miserably disappointed. Now, however, the star of their good fortune seemed to shine in earnest, and all their friends to be seriously disposed to assist them. Fifteen thousand men were assembled on the coast of Picardy, and transports were provided at Dunkirk, Calais, and Boulogne, for their embarkation. The celebrated marshal Saxe was appointed their commander, and it was determined that they should be landed on the coast of Kent, under convoy of a strong squadron equipped at Brest, and placed under the orders of Monsieur Roquefeuille, an officer of great capacity and experience. The chevalier de St. George was himself too old, and had too little reputation to add any thing by his personal presence to such an expedition, but it was stipulated that he should delegate his authority to his son Charles, of whom many wonderful tales had been industriously propagated, and in whose future life the most illustrious deeds were confidently anticipated. The duke of Ormond was also particularly requested by the chevalier to assist on this important occasion, but he excused himself on account of his great age.

On the ninth of January, 1744, Charles Edward, eldest son of the chevalier de St. George, set out from Rome in the disguise of a Spanish courier, and accompanied only by one servant. Furnished with passports by the Spanish minister, cardinal Aquaviva, he travelled through Tuscany to Genoa, whence he proceeded to Savona, where he embarked for Antibes, and pro-

secuting his journey to Paris, was indulged with a private audience of the French king, after which he set out to join the army that was assembling in Picardy.

The British ministry had not been inattentive to this armament, and once apprized of the presence of the pretender's son along with it, were at no loss to comprehend its destination. Mr. Thompson, the English resident at Paris, was ordered to remonstrate with the French government on the violation of those treaties by which the pretender to the crown of Great Britain was excluded from the territories of France, but was only answered by complaints of manifold infractions by his Britannic majesty of these very treaties.* The British government lost no time in making preparations to meet the threatened danger, and the states-general were instantly applied to for the six thousand men stipulated by former treaties in case of an invasion on the part of the pretender. This application their high mightinesses complied with in the most cordial manner, and sent instantly to their admiralties to accelerate the manning of such ships as were in a condition for being the soonest put to sea, "adding the strongest and most cordial professions of their high mightinesses' unalterable attachment to his majesty's person and government." Several regiments were at the same time marched to the coast, and all commanders were ordered to their respective posts. The forts at the mouths of the Thames and Medway were put in a posture of defence, orders were issued to assemble the Kentish militia, and Sir John Norris was forthwith ordered to take the command of the fleet at Spithead, with which he sailed round to the Downs, where he was joined by seven ships of the line from Chatham, when he found himself at the head of a squadron considerably stronger than that of the enemy.

On the fifteenth day of February the king sent a message to both houses of parliament, intimating the arrival of the pretender's son in France, the preparations at Dunkirk, and the appearance of a French fleet in the English Channel. Both houses joined in an address, declaring their abhorrence of such a design, and assuring his majesty that "they would with the

* History of England. Scots Magazine for February, 1744.

warmest zeal and unanimity take such measures as, by the blessing of God, would enable him to frustrate and defeat so desperate and insolent an attempt." The earl of Stair, who, on a former occasion, on account of great ingratitude on the part of the government, had resigned all his public employments, forgetting all his wrongs, came forward with an offer of his services, and was re-invested with the chief command of all the forces in Great Britain. His example was followed by several noblemen of the first rank. The duke of Montague was permitted to raise a regiment of horse, and orders were sent to bring over six thousand British troops from Flanders.

On the twenty-fourth of the month, colonel William Cecil was taken into custody, his papers seized, and a guard set over his house. He was examined by a committee of the privy council on the twenty-seventh, and committed to the Tower for high treason. The earl of Barrymore, member for Wigan in Lancashire, was likewise taken into custody on the twenty-seventh, on a suspicion of high treason, and a guard set over his house. Next day the chancellor of the exchequer, by the king's command, acquainted the house therewith, who thereupon returned an address of thanks, requesting of his majesty that the said earl might be securely detained.* A bill for suspending the *habeas corpus* act was immediately brought in, read a first and second time, and committed for the twenty-ninth, on which day it was engrossed and sent to the lords, where it was gone through with such despatch as to be ready for the royal assent on the following day.

On the twenty-fifth a proclamation was issued for putting the laws in execution against papists and nonjurors, and against riots and rioters, commanding all papists and reputed papists to depart out of the cities of London and Westminster, and all places within ten miles of the same, on or before the second of March, ordering all popish recusants to repair to their respective places of abode, and not to remove from thence above five

* These men were both of them implicated in the association that had been entered into on behalf of the pretender in Scotland, but fortunately for themselves, they refused to put their hands to any paper, till they should be certified of the auxiliary forces the pretender could bring along with him.—
Trial of Lord Lovat, &c. &c.

miles, and requiring the justices, &c. "to tender the oaths to all persons suspected to be papists; and in case of refusal, to seize their arms, ammunition, and such of their horses as are above five pounds value." Loyal addresses were in the meantime poured in from all quarters, from the cities of London and Edinburgh, and from all the principal towns of Great Britain, from the universities, the clergy, the dissenting ministers, the quakers, &c. &c.

These loyal demonstrations, however, did not affect the preparations of the French court, which were going on at Boulogne and Dunkirk, under the eye of the young pretender, and seven thousand of the troops were actually embarked. M. de Roquefeuille, after having detached five ships to hasten the embarkation at Dunkirk, sailed up the Channel as far as Dungeness, a promontory on the coast of Kent, where he cast anchor; but on the twenty-fourth of February, perceiving the British fleet, under Sir John Norris, doubling the South Foreland from the Downs, and though the wind was against him, taking the advantage of the tide to commence an attack, Roquefeuille, who was not expecting such a visit, called a council of war, where it was determined to avoid an engagement, weigh anchor at sunset, and make the best of their way whence they had set sail. This determination they were enabled to carry into execution, in consequence of the failing of the tide, which obliged the English admiral to anchor two leagues short of them, and a hard gale of wind which carried them down the Channel with incredible expedition. The storm, however, though it saved their fleet, put an end, for the present, to the design of invading England, a great number of their transports being driven on shore by it, and totally lost, while the remainder were so damaged, as to be unable to put to sea without repairs. The English, at the same time, being masters at sea, and their coasts so well guarded, left the enterprise no chance of success; the French generals nominated to serve in the expedition, returned to Paris, and the young pretender was left again without much probability of external assistance. He, however, lingered in Paris and its neighbourhood incognito, waiting to see what chance or a change of circumstances might do for him.*

* Scots Magazine for 1744.

The court of France having fairly committed themselves, issued a declaration of war against the king of England, wherein he was taxed with having dissuaded the emperor from entertaining any thoughts of accommodating his differences with France; of having infringed the treaty of Hanover; of having exercised acts of the most cruel and barbarous piracy upon the subjects of France; and of having dared to undertake to come and block up the port of Toulon, stopping all ships, seizing upon their whole cargoes, carrying off likewise the recruits and ammunition his majesty was sending to his different fortresses. This was followed, in a few days, by a like declaration on the part of England against France, which was published at London on the thirty-first of March, 1744, amidst the acclamations of the people.*

In consequence of the above events, a bill was brought into the house of commons, denouncing the penalties of high treason against all who should maintain any correspondence with the sons of the pretender. In the upper house, it was moved by the lord chancellor Hardwicke, that a clause should be inserted, extending the crime of treason to the posterity of the offenders, during the lives of the pretender's sons. This motion produced a warm debate, in which the duke of Bedford, the earl of Chesterfield, and the lords Talbot and Harvey, argued against it as an illiberal expedient, contrary to the dictates of humanity, the law of nature, the rules of common justice, and the precepts of religion; an expedient that would involve the innocent with the guilty, and tend materially to the augmentation of ministerial power, for which purpose it was undoubtedly designed; but being supported by the whole strength of the ministry, it was carried in the affirmative. When sent back to the commons, the amendment was vigorously opposed by lord Strange, lord Guernsey, Mr. William Pitt, and other members, by whom the bill in its original form had been strenuously supported; but it still found a majority, passed the house, and received the royal assent.†

The session was closed on the twelfth of May, when his majesty made the following speech:—"My Lords and Gentle-

* History of England, &c.

† Ibid.

men,—I cannot put an end to this session, without returning you my hearty thanks for the many demonstrations you have given me, during the course of it, of your good affections, and of your zeal for the support of my government.

“The great preparations made by France, on the side of the Austrian Netherlands, must convince all Europe of the ambitious and destructive views of that crown, in beginning the present war. It shall be my care, in conjunction with my allies, to pursue the most proper measures to disappoint them, and to prosecute the war in such a manner as may be most effectual for procuring a safe and honourable peace. My good friends, the states general, have already, in pursuance of my requisition, agreed to furnish the succours stipulated by our treaties; and I have received the strongest assurances of their just sense, not only of the common danger, but also of the inseparable connexion of their interests with those of this kingdom, which I shall not fail to improve for the general good of the common cause.

“Gentlemen of the house of commons,—The great readiness and regard to the public service which you have shown, in granting the supplies for the current year, are highly acceptable to me. You may depend upon it, that they shall be strictly applied to the ends for which they were given, and in such manner as may be most for the honour and advantage of Great Britain.

“My lords and Gentlemen,—Let me earnestly recommend to you, in your several stations, to be vigilant in preserving the peace and good order of the kingdom. I promise myself you will seriously consider, that in the present conjuncture you are particularly called upon by all the motives of duty and interest, to stir up, and to cultivate in the minds of my people, an hearty and more than ordinary zeal for the maintenance and defence of our holy religion, and excellent constitution, against the malicious designs of our enemies.”

On the fifth of June, three men, Sir Hector M'Lean, with his servant Lauchlan M'Lean, and George Bleau, of Castlehill, were apprehended in Edinburgh, on suspicion of being in the French service, and of enlisting men there. After being examined by his majesty's advocate, and some gentlemen of the

army, they were committed to prison, and some time afterward sent under a strong guard to London, where they again underwent a long examination; but it does not appear that any thing material was elicited, or that the government were awakened by the circumstance to any additional vigilance with regard to Scotland. All eyes were fixed upon the continent, and the cabinet, instead of providing for what there was every reason to think was preparing, an insurrection in Scotland, were, by the violence of their dissensions, ripening for a new revolution among themselves.

Lord Carteret, now earl Granville, had engrossed so much of the royal favour, as to have become an object of jealousy to the duke of Newcastle and his brother, and, from the sycophantish obsequy of his conduct, of contempt to the people, of whom, while he stood in the front of opposition, he had been the darling idol. Newcastle and his brother were at this time considerably in favour with the mob, and their parliamentary interest was very great. Knowing their own strength, they entered into a political alliance, which was dignified by the name of "broad-bottomed," against the minister and his measures, who, foreseeing the impossibility of withstanding such an opposition in parliament, avoided, by a voluntary resignation of his employments, the danger of the combat, and the disgrace of a defeat. Lord Harrington succeeded him as secretary of state. The duke of Bedford was appointed first lord of the admiralty, and the polished earl of Chesterfield lord lieutenant of Ireland. The lords Cobham and Gower, were re-established in the offices they had resigned, and Mr. afterwards lord Lyttleton, was admitted as a commissioner of the treasury. Though this proved to be a change of men rather than of measures, it turned out to be so far an advantage to the sovereign, as his views were no longer thwarted in parliament by a turbulent and obstinate opposition.*

The parliament was opened in the month of November, and after granting whatever supplies had been demanded, and discussing other matters that came before it, was prorogued in the month of May, 1745, when his majesty immediately set out for

* History of England, &c.

Hanover. It was in the same month that the British troops, under the duke of Cumberland, sustained a memorable and fatal defeat at Fontenoy. This defeat in all probability determined the son of the pretender to adopt, contrary to the advice of his best friends, the desperate expedient of throwing himself, and the fortunes of his house, upon the energies of the clans scattered over the Highlands of Scotland, without any portion of the stipulated foreign assistance, or any well-grounded hope of friendly co-operation further than early success might induce their more wealthy, and therefore more selfish and less daring brethren of the south to bestow. This frantic attempt, which had its origin in ignorance and temerity, and from the imbecility with which it was met had well nigh succeeded, it will now be our business shortly to detail.

Cut off by local situation for a great part of the year, and at all times by a language but partially, and in most cases not at all understood by their neighbours, from the pleasure of free and unrestricted intercourse with them, the Highlanders had as yet partaken of none of the benefits which the progress of knowledge was in a greater or lesser degree bestowing upon all their fellow-subjects. In a state of servitude the most deep, and of dependance the most perfect, they were not the most miserable of mortals, only because the services upon which their superiors employed them, did not necessarily make them so. To toil in useful employment, or for valuable purposes, to any extent, they were not required, but murder and robbery they were at all times ready to perpetrate, when their own wants, or the will of their chiefs impelled them—and it was these actions alone that called forth their energies. Every other employment they held in contempt, and their existence was, for the most part, devoured by hunger and sloth. Fletcher of Salton observed most justly of them in his day, and they had improved nothing at the time of which we write,—“They are all gentlemen, only because they will not work, and in every thing are more contemptible than the vilest slaves, except that they always carry arms, because for the most part they live upon robbery.” Their arms, their endurance of hunger, and their laziness, indeed, were the chief sources of their pride; and the meanest pigmy belonging to a clan, burrowing like an Afri-

can Boschewan in a cavern of the rock, or, for laziness to excavate the rock, in a hillock of turf, with his garment of hair dipped in a dirty dye, compounded from the steepings of heath flowers and moss, and his miserable pittance of drummock, scantily procured by stealing, could look with scorn upon the man who was comfortably lodged, decently clothed, and fed to the full by honest and useful industry. Ignorant of all the arts of civilized life, they yet, like all other slaves and semi-barbarians, living among perpetual jealousies, feuds, depredations and thefts, possessed a sagacity and cunning utterly unknown and unaccountable to men living under the protection of regular government, and amid the common exercise of the various charities of life.

Their chieftains, each of whom exercised an absolute and unlimited control over the lives and the actions of all his retainers, on the contrary, lived in all the stateliness, and, as far as circumstances would permit, in all the luxuriousness of eastern monarchs; and to support this stateliness, and provide the means of this luxuriousness, was the whole business of their lives. Of their followers, their sole care was to keep up or to increase their number, and to secure their unlimited obedience, by heightening their dependance. For this purpose they were studiously taught to look upon all manner of industry as degrading, to despise all improvement, and to regard every thing as below their dignity, save the profession of arms, in which, as it was the only resource themselves and their chiefs could in most instances depend upon, they were carefully initiated from their earliest infancy. They inhabited straths that were fruitful, or by the hand of patient industry could easily have been made so; and in the teeming lakes and rivers with which these straths were intersected, they possessed the staple of an enriching traffic altogether inexhaustible, and by encouraging and directing their energies into these channels, their chieftains might not indeed have been kings, but they would have been the fathers and the benefactors of a flourishing, a virtuous, and a happy people.

This, however, did not comport either with their pride or their policy. Once enamoured of the spade, the plough, the net, and the oar, their followers would have felt themselves

semewhat their own masters, they would have become more wealthy than their high-born superiors, whose arrogant assumptions must of course have vanished, and to prevent such an issue, every part of their economy seems to have been carefully adjusted. Every individual was a tenant at will upon the few foot breadths of the soil that was allotted him, and though his rent was perhaps but a few shillings sterling, a pound or two of butter, a little oatmeal, and an eighth or a sixteenth part of a sheep, from his want of industry, want of skill, and from his attendance on the laird, matters were so managed, that without some inroads upon an obnoxious clan, or, what was infinitely more productive, levying every now and then a *creagh* from the Lowlands, it could never be paid. A Highland chieftain, in short, when divested of those factitious glories with which he has been clothed by interested and ignorant rhymers and romancers, was neither more nor less than a public robber, who by the strength of his fastnesses, and the number of his retainers, thought himself warranted to set the law at defiance; and imbecile and corrupt administrations had, by hiring his forbearance with handsome pensions, when they ought to have repressed his rapacity by the arm of the law, fostered his pride, and guaranteed his insolence.

Such were the men upon whom the pretender's son was taught to depend for restoring him to the throne of his fathers, and who fancied themselves, with a little foreign aid, perfectly competent to the task—men who had embroiled the government in every preceding age, and men who claimed rights, and exercised functions, utterly incompatible with the exercise of any regularly constituted government. They were, however, very fit for the purpose of creating confusion in the country, and by the folly of the measures that had been adopted regarding them, much more so at this time than at any former period. From their situation and circumstances, any monarch, be his family or his character what it would, must have been to them an object of suspicion, and his complete establishment an event they must have deprecated. The principles of the Stuarts, however, if they took time to consider principles, or at least their practices, must have been preferred by them as much more congenial to their own, than those which had hitherto guided the new dynasty;

at all events, in the tumult that behoved necessarily to ensue, they were certain of carrying off some portion of the spoil, with which they could retire again to their fastnesses, and the day of their complete subjugation, which they had no doubt government had determined upon would be at least retarded, and for the wrongs they supposed they had already endured, they would have some measure of revenge.

New and extraordinary proofs of the negligence of the ministry, and of their entire ignorance of the state of Scotland, were now exhibited. Though the whole of the disaffected clans, to the number of twelve thousand men, were prepared to second the invasion, had it taken place in the previous year, this blundering and bullying administration seem not so much as to have suspected it, and but for the interference of the elements, George, while he was anxious to secure a crown to the queen of Hungary, would in all probability have lost his own. Nor, though the earlier part of the present year had been wholly employed in forming arrangements for making new attempts upon the peace of the kingdom, do they appear to have had the smallest suspicion of any such thing, till the foreign journals informed them that the pretender's son had actually embarked for Scotland. Even the lord president himself, who it would appear had always a watchful eye turned to that quarter, seems to have been taken altogether by surprise, though, fortunately, he had not been negligent in giving sound advice to his friends, in case any such unlooked for attempt might be made. "I consider the report," says he, in reply to some communications on the subject of the pretender's son having embarked for Scotland, "as improbable, because I am confident that young man cannot with reason expect to be joined by any considerable force in the Highlands. Some loose, lawless men of desperate fortunes may indeed resort to him, but I am persuaded that none of the Highland gentlemen who have ought to lose, will, after the experience which the year 1715 furnished them, think proper to risk their fortunes on an attempt which to them must appear desperate, especially as so many considerable families amongst themselves have lately uttered their sentiments, unless the undertaking is supported by an armed power from abroad, or

seconded by an invasion on some other part of his majesty's dominions." *

Such was undoubtedly the opinion of all the Jacobites whose opinions were worth hearing, and it was no new opinion, as we have already seen in the course of this history. It had often been expressed to the pretender himself, though he never willingly listened to it, and it could not be expected to be more palatable to his son, who, full of the pride of ancestry, had now determined to assert his rights, and to conquer his fortune, independent of allies, whose procrastinating policy seemed only to mock his impatience, and to delude his expectations.

He accordingly embarked, according to Mr. Home, in a small fishing boat at Nantes, on the twentieth of June, and proceeded to St. Nazaire, where he went on board the *Doutelle*, a frigate of sixteen guns, and was joined by the *Elizabeth*, of sixty guns, off Belleisle. These vessels he obtained from two merchants of Irish extraction, the sons of refugees, who had followed the fortunes of James II., and had settled, the one, whose name was Routledge, at Dunkirk, the other, whose name was Walch, at Nantes. Engaged in a privateering speculation, they obtained from the French court an old sixty gun ship, and purchased a frigate of sixteen guns, both of which they had fitted up for a cruise in the North Sea. Being introduced to the pretender's son by lord Clare, afterwards marshall Thomond, they agreed to lend him their ships for this expedition. In addition to the ships, they accommodated him with three thousand eight hundred pounds, which was afterwards repaid by the old pretender, and all the arms they could procure.

The above was not the only service lord Clare performed for Charles. He also, under pretence of the East India service, raised one hundred men, who were styled *Grassins de Mer*, and were handsomely clothed in blue, faced with red, and put aboard the *Elizabeth* for his service.† From the purpose for which they were raised, we may reasonably presume that they were men superior to those who commonly fill the ranks as

* Culloden Papers, p. 204.

† Home's History of the Rebellion, p. 26. Ray's History of the Rebellion, p. 19.

common soldiers, and though they were driven back in the Elizabeth, must have followed him by some other conveyance. We meet, however, in course of the following history, with no mention of their achievements, further than that Ray says, he had the pleasure of seeing them afterwards prisoners of war at Carlisle.

Besides these one hundred men, Charles was accompanied by the following individuals, viz. Sir Thomas Sheridan, an Irishman, who had formerly been his tutor, the marquis of Tullibardine, attainted since 1715, Sir John Macdonald, an Irishman, who had been in the service of Spain, Kelly, likewise an Irishman, formerly secretary to Atterbury, bishop of Rochester, Sullivan, an Irishman, Eneas Macdonald, a Scotsman, and a banker at Paris, Strickland, his country doubtful, and Michel, an Italian, who acted to the pretender as valet de chambre. To these Home adds Buchanan, a Scottishman, who had acted as cardinal de Tencin's messenger to the pretender at Rome, during the time he had been employed in preparing for this extraordinary expedition. Aboard the two ships were about two thousand musquets, and a few hundreds of French broadswords. Such was the outfit of an armament which had for its object to overturn the throne of Great Britain—a throne founded upon the will of the people, and every day taking deeper root in their affections. But the small quantity of military stores provided, and the paucity of the hands employed in this invasion, are by no means the most remarkable circumstances attending it. Though their number was small, had it comprised men of approved worth and talent, men respected at home, or celebrated abroad, there might have been some hope that they would be seconded much more effectually than a superficial thinker might at first have been ready either to see or believe. But there was not one really respectable individual among them, if we except the marquis of Tullibardine; and from the circumstances of his having been attainted, and an exile, ever since Marr's year, and his brother James inheriting the honours and the estate of Athol, and at the very time personally in the service of king George, his influence could not be very great. Charles himself, to be sure, was the idol of the Scottish Jacobites; but he was a very young man, totally devoid of experience either in civil or military affairs, and by supposing, that with his Scottish friends, under

the direction of a few vagabond Irishmen, although he had been sure of their rising to a man, he would be able to overcome the whole body of presbyterians in Scotland, together with the kingdom of England, he showed himself possessed of a mind upon which, it might safely have been presumed, all experience would in the end be found to be thrown away.

Scarcely had they put to sea when they began to experience what an arduous affair they were engaged in, and how inadequate their means were for its accomplishment. Their purpose was to steer for the Highlands of Scotland by the *Æbudæ* or Western Islands, but they were met, a little to the westward of the Lizard Point, by the *Lyon* man of war, an English ship of sixty guns, who engaging the *Elizabeth*, after an action of six hours, crippled her to such a degree, that she with difficulty regained the port whence she had sailed, having lost her captain and sixty men killed, with upwards of an hundred and thirty wounded. The *Doutelle* in the meantime pursued her voyage, and as she approached the coast of Scotland, seeing a large ship, which was supposed an English man of war, off the south end of the Long Island, she ran along the east side of Barra, and came to anchor between South Uist and Erisca, the largest of a cluster of rocky isles that lie off South Uist.

On this almost barren island, Erisca, Charles immediately landed in the character of an Irish priest, and was conducted to the house of the tacksman of these small islands, from whom he learned that Clanronald and his brother, Boisdale, were upon the island of South Uist, while young Clanronald was at Moidart, upon the mainland. Charles having despatched a messenger for Boisdale, remained on the island all night, and in the morning returned to his ship. Boisdale followed soon after, and Charles proposed that he should go with him to the mainland to be assisting in persuading his nephew, young Clanronald, to take arms, and afterwards that he should go ambassador to Sir Alexander Macdonald and Macleod of Skye. Boisdale, however, with great firmness, and good sense, declared that he would do his utmost to prevent his brother and nephew from engaging in so hopeless an enterprise, and assured him, that an embassy to Skye was out of the question, as he had seen Sir Alexander Macdonald and Macleod but very

lately, and had it in commission from them to acquaint him, if he should call at South Uist in his way to the Highlands, that they were determined not to join him unless he brought with him a body of regular troops. Charles ordered his ship to be unmoored, and carrying Boisdale along with him towards the mainland, used all his eloquence to persuade him to come into his measures, but without effect. Boisdale was inexorable, and, getting into his boat, left Charles to pursue his course, and find followers in the best manner he could.

Steering directly for the Scottish coast, Charles came to an anchor in the bay of Lochnannagh, between Moidart and Arisaig, where he sent a boat ashore with a letter to young Clanronald, who with his relation, Kinloch Moidart, hastened aboard the *Doutelle*. Reduced almost to despair in his interview with Boisdale, Charles addressed these two friends with great emotion, conjuring them to assist their prince and their countryman, as he falsely called himself, in his utmost need. Both, however, though well affected to the cause, positively refused, telling him, that to take arms without concert or support, was only to pull down certain destruction on their own heads. Continuing to argue and to implore, he at length caught the eye of a young Highlander, a brother to Kinloch Moidart, who having come on board to inquire for news, without knowing any thing of the quality or character of the ship's company, and hearing his chief and his brother refuse to take arms with their prince, grasped his sword, while his colour went and came, and his eyes sparkled with the wildest emotion. Charles observing his demeanour, turned at once towards him, calling out, Will not you assist me? I will, said Ranald, though no other man in the Highlands should draw a sword, I am ready to die for you. This foolish rhapsody called forth from Charles a profusion of acknowledgments, and without farther deliberation, Clanronald and his friend Kinloch Moidart agreed that they also would die for him, and the whole party immediately came on shore and were conducted to Boradale, a farm belonging to the estate of Clanronald, on the twenty-fourth of July, 1745.*

At Boradale, one of the most wild and inaccessible places in

* Home's History of the Rebellion, p. 28.

the Highlands of Scotland, and surrounded on all sides by the territories of chieftains disaffected to the government, Charles was at liberty to pursue his designs with the most perfect freedom. From this sequestered retreat letters were written and messengers despatched to all the chiefs from whom he expected assistance. Kinloch Moidart was the day after his landing despatched to the southward, to deliver in his way a letter to Lochiel and another to Keppoch. Young Clanronald was sent to Skye with letters to Sir Alexander Macdonald and the laird of Macleod, and one to be forwarded to lord Lovat. Lochiel had been, since the year 1729, a confidant of the old pretender's, and the oracle of the Jacobites, having succeeded to the place of Lockhart of Carnwath, who, the year previous to this, had been allowed to settle quietly at home, having given up the affairs of the pretender as desperate.* We have already spoken of the association entered into by the friends of Charles, in consequence of the Spanish war. Charles was now come on the faith of that association, and the private assurances of friendship and loyalty which he had received from many individuals both in Scotland and in England, but the conspirators had already sent Murray of Broughton, afterwards his secretary, to dissuade him from prejudising his cause, and bringing ruin upon his friends, by a premature and ill advised personal appearance among them, and, they wished now to be off, in regard he had not fulfilled the stipulated condition of bringing along with him an army of auxiliaries. Lochiel, on receiving the pretender's letter, wrote to Lovat that the prince was come, and that he had the papers of which he had spoken [a commission to be lieutenant-general in the Highlands, and a patent for making him a duke,] along with him, which should be delivered on the stipulated conditions. Lovat, who was anxious to play a sure game, not having received the letter of Charles, and not sure of his way, only wrote to Lochiel generally, that he might rely on what he had formerly promised.†

* Lockhart Papers, vol. ii. p. 405.

† Home's History of the Rebellion. Journals and Memoirs of the Young Pretender's Expedition. Lockhart Papers, vol. ii. p. 440. Memoirs of Simon Fraser, Lord Lovat. Douglas Peerage, by Wood, vol. ii. p. 160, &c. &c.

Lochiel was not a little troubled on the occasion, and at last resolved to have nothing to do with Charles in his present circumstances. But, most unfortunately, in place of returning Charles his letter, and leaving him to his own suggestions, he considered himself in duty bound to wait upon him, and assign reasons for his conduct. With this resolution he called upon his brother, Cameron of Fassefern, early in the morning, on his way to Boradale, told him what had happened, and how he had determined to act. Fassefern approved his sentiments, applauded his resolution, and advised him to go no farther, but to send his determination by letter, for, said he, "I know you, brother, much better than you know yourself. If this prince once sets eyes upon you, he will make you do whatever he pleases." The event entirely justified the prediction. Lochiel reasoned in vain with a young man impatient to reign, and who, in consequence of this impatience, could see no difficulties in his way. The British army was all abroad, and fully occupied by marshal Saxe, who headed a far superior army. The few newly raised regiments that were in Scotland had never seen service; it was impossible they could stand before Highlanders; and the very first advantage gained over them would bring forward all his father's friends, both at home and abroad, so that he wanted nothing but the Highlanders to begin the war.

Lochiel had too much good sense not to know that all this was mere folly, and entreated Charles to be better advised, and reserve himself and his friends for a more favourable opportunity. "No," he exclaimed, "I am determined to put all to the hazard. In a few days, with the few friends that I have, I shall erect the royal standard, and proclaim to the people of Great Britain, that Charles Stuart is come over to claim the throne of his ancestors, to win it, or to perish in the attempt. Lochiel, who, my father has often told me, was our firmest friend, may stay at home and learn from the newspapers the fate of his prince." Never before did the ass ape the lion with better effect. The pride and the vanity of Lochiel were at once brought into action. "No," he exclaimed, "I will share the fate of my prince, and so shall every man over whom nature or fortune hath given me any power;" and the next day

he returned to raise his men, carrying money with him to Kerpoch and the Stuarts of Appin, to enable them to do the same, and to join Charles without delay.*

While Lochiel and Charles were holding the above conversation, Clanronald returned from the Isle of Skye with an unfavourable answer, though it is not likely that Lochiel was at the time made fully acquainted with it, for the friends of Charles conducted themselves with much more prudence than he could conduct himself, and on this occasion, Clanronald, when he found that his friends in Skye were not disposed to embark in the enterprise, had the cunning to persuade them that he would be guided by their example, so that when Mr. Norman Macleod wrote to the lord president the next day, informing him of the arrival of the pretended prince of Wales, he adds, after giving an erroneous statement of his attendants, "His view, I need not tell you, was to raise all the Highlands to assist him, &c. Sir Alexander Macdonald and I not only gave no sort of countenance to these people, but we used all the interest we had with our neighbours to follow the same prudent method, and I am persuaded we have done it with that success, that not one man of any consequence benorth the Grampians will give any sort of assistance to this mad rebellious attempt.

"As it can be of no use to the public to know whence you have this information, it is, I fancy, needless to mention either of us, but this we leave in your own breast, as you are a much better judge of what is or what is not proper to be done. I've wrote to none other, and as our friendship and confidence in you is without reserve, so we doubt not of your supplying our defects properly. Sir Alexander is here and has seen this scrawl—young Clanronald has been here with us, and has given us all possible assurances of his prudence."† This letter, it is evident, Clanronald expected either Macleod or Macdonald to write, and he gave such information as exactly suited the purposes of the rebels, and laid a foundation for that mistaken policy which sent Sir John Cope into the north with all the

* Journals and Memoirs of the Young Pretender's Expedition. Lockhart Papers, vol. ii. p. 440. Home's History of the Rebellion, pp. 31, 32.

† Culloden Papers, pp. 203, 204.

troops, leaving the whole Low Country open to the pretender's son, by which means he overcame at once the most serious difficulties he had to contend with, want of provisions and want of money, made himself master of Edinburgh, and to the astonishment of himself as well as of all Europe, penetrated into the very heart of England.

Lochiel had no sooner consented to raise his men, and to join the standard of rebellion, than letters were issued by Charles from Boradale, acquainting the chiefs that the said standard was to be unfurled at Glenfinnin, on the nineteenth of August, and requiring their presence on the occasion, or as soon after as possible.

In the meantime reports of what was going on among the clans were various and manifold, and the governor of Fort Augustus thought it prudent to send two companies to re-enforce the garrison of Fort William. These two companies, under the command of captain John Scott, afterwards general Scott, left Fort Augustus early on the morning of the sixteenth, and were approaching High Bridge, which is built over the water of Spean, within eight miles of Fort William, when they were saluted with the noisy music of the bagpipe, and observed a number of Highlanders on the other side of the bridge, leaping about with swords and firelocks. Ordering a sergeant, with his own servant forward, to learn who they were, the captain made a halt, when two Highlanders darted out upon his messengers, seized them, and carried them to the party beyond the bridge. Ignorant of the number of his enemies, and knowing that he was in a part of the country where the inhabitants were, to a man, disaffected, he thought it more prudent to retreat than to commence hostilities.

This was exactly what the Highlanders wanted; there were only eleven of them, and they had sent to raise the country on all sides, and no sooner had he got back into the narrow defile leading along the side of loch Lochie, than he was fired upon from the woods and the rocks, by enemies whom he could not see, but who were increasing every moment. Captain Scott, however, had reached the east end of loch Lochie, when he descried, upon a hill, at the west end of loch Oich, a number of Highlanders, whose appearance was suspicious, in

consequence of which he crossed the isthmus between the lakes, in order to take possession of Invergarry, a place of strength belonging to Macdonald of Glengarry. He had proceeded only a short distance, when a body of Macdonalds came down the hill opposite to oppose him. His pursuers were by this time joined by Macdonald of Keppoch, and a party of his men, who soon came up with him, and he was compelled to surrender, being surrounded on all sides. Lochiel and a body of his men coming up at the time, took charge of the prisoners, and carried them to his house at Achnacarie. Two of the king's soldiers were killed; and severals, among whom was captain Scott himself, wounded. The Highlanders did not lose a man, and their success was magnified into a most important affair, which had no small effect in raising their spirits, and encouraging them to enter upon that career of rebellion, which to them had so fatal a termination.

Sir Alexander Macdonald, and Macleod of Skye, absolutely refusing to join him, Charles removed from Boradale to Kinlochmoidart, where he remained till the eighteenth, that he went by water to Glenaladale, upon the side of loch Shiel. On the morning of the nineteenth, leaving Clanronald in his own country to raise men, he, with his attendants in three boats, set out for Glenfinnin, where he landed about mid-day, at the east end of the lake, where the small river Finnin runs into loch Shiel. Glenfinnin is a narrow vale, apparently formed by the river Finnin, between high and craggy mountains, utterly impassable, except on foot. When Charles arrived at this solitary spot, Lochiel and his Camerons were not to be seen, and a small hovel is still shown where Charles spent two anxious hours waiting for this great auxiliary. At length Lochiel with his clansmen, to the number of eight hundred, made their appearance on the top of the mountain, advancing in two lines, each of them three men deep, and between the lines the soldiers taken on the sixteenth marching as prisoners, without any arms. Transported with the sight, Charles proceeded immediately to erect what he called the king his father's standard. This standard was made of white, blue, and red silk, and was about twice the size of an ordinary pair of colours. It was unfurled by the marquis of Tullibardine, who, supported by a man on each side, held

the staff, till the manifest and commission of regency was read, both dated at Rome, December 1743.* This solemnity was scarcely concluded, when Macdonald of Keppoch arrived with about three hundred followers; so that the army of Charles,

* The following are copies of the said papers :—" James the eighth, by the grace of God, king of Scotland, England, France, and Ireland, Defender of the Faith, &c. to all our loving subjects, of what degree or quality soever, greeting ;

" Having always borne the most constant affection to our ancient kingdom of Scotland, from whence we derive our royal origin, and where our progenitors have swayed the sceptre with glory, through a longer succession of kings than any monarchy upon earth can at this day boast of, we cannot but behold with the deepest concern the miseries they suffer under a foreign usurpation, and the intolerable burdens daily added to their yoke, which become yet more sensible to us, when we consider the constant zeal and affection the generality of our subjects of that our ancient kingdom have expressed for us on all occasions, and particularly when we had the satisfaction of being ourselves amongst them.

" We see a nation always famous for its valour, and highly esteemed by the greatest of foreign potentates, reduced to the condition of a province, under the specious pretence of an union with a more powerful neighbour ; in consequence of this pretended union, grievous and unprecedented taxes have been laid on, and levied with severity, in spite of all the representations that could be made to the contrary ; and thus have not failed to produce that poverty and decay of trade, which were easily foreseen to be the necessary consequences of such oppressive measures.

" To prevent the just resentment which could not but arise from such usages, our faithful Highlanders, a people always trained up and inured to arms, have been deprived of them ; forts and citadels have been built and garrisoned, where no foreign invasion could be apprehended ; and a military government has been effectually introduced, as into a conquered country. It is easy to foresee what must be the consequences of such violent and unprecedented proceedings, if a timely remedy be not put to them ; neither is it less manifest, that such a remedy can never be obtained, but by our restoration to the throne of our ancestors, into whose royal hearts, such destructive maxims could never find admittance.

" We think it needless to call to mind how solicitous we have ever been, and how often we have ventured our royal person, to compass this great end, which the divine providence seems now to have furnished us with the means of doing effectually, by enabling our good subjects in England to shake off the yoke under which they have likewise felt their share of the common calamities. Our former experience leaves us no room to doubt of the cheerful and hearty concurrence of our Scots subjects on this occasion, toward the perfecting the great and glorious work : but that none may be deterred by the memory of past miscarriages from returning to their duty, and being re-

the first night it lay in camp, was upwards of one thousand strong.*

In the meantime the truth of what was going on in the Highlands, however slowly it had wrought its way, was pretty

stored to the happiness they formerly enjoyed, we, in this public manner, think fit to make known our gracious intentions towards all our people.

"We do therefore, by this our royal declaration, absolutely and effectually pardon and remit all treasons and other crimes hitherto committed against our royal father, or ourselves; from the benefit of which pardon we except none, but such as shall, after the publication hereof, wilfully and maliciously oppose us, or those who shall appear, or endeavour to appear in arms for our service.

"We further declare, that we will with all convenient speed, call a free parliament; that by the advice and assistance of such an assembly, we may be enabled to repair the breaches caused by so long an usurpation, to redress all grievances, and to free our people from the insupportable burden of the malt tax, and all other hardships and impositions, which have been the consequences of the pretended union; that so the nation may be restored to that honour, liberty, and independence which it formerly enjoyed.

"We likewise promise, upon our royal word, to protect, secure and maintain all our Protestant subjects in the free exercise of their religion, and in the full enjoyment of all their rights, privileges, and immunities, and in the secure possession of all churches, universities, colleges, and schools, conform to the laws of the land. All this we shall be ready to confirm in our first parliament; in which we promise to pass any act or acts that shall be judged necessary to secure each private person in the full possession of his liberty and property, to advance trade, to relieve the poor, and establish the general welfare and tranquillity of the nation; in all such matters we are fully resolved to act always by the advice of our parliaments, and to value none of our titles so much as that of *common Father of our people*, which we shall ever show ourselves to be, by our constant endeavours to promote the quiet and happiness of all our subjects. And we shall be particularly solicitous to settle, encourage, and maintain the fishery and linen manufactory of the nation, which we are sensible may be of such advantage to it, and which we hope are works reserved for us to accomplish.

"As for those who shall appear more signally zealous for the recovery of our just rights, and the prosperity of their country, we shall take effectual care to reward them according to their respective degrees and merits. And we particularly promise as aforesaid, our full, free, and general pardon to all officers, soldiers and sailors, now engaged in the service of the usurper, whether of the sea or land, provided that, upon the publication thereof, and

* Journal and Memoirs of the Young Pretender's Expedition. Lockhart Papers, vol. ii. pp. 441, 442. Home's History of the Rebellion, p. 36.

generally reported and as generally believed. The lords justices, on the first of August issued a proclamation, offering a reward of thirty thousand pounds to any person who should apprehend the son of the pretender, either landed, or attempt-

before they engage in any fight or battle against our forces, they quit their said unjust and unwarrantable service, and return to their duty; in which case, we shall pay them all the arrears that shall at that time be due to them from the usurper; we shall grant to the officers the same commission they shall then bear, if not higher; and to all soldiers and sailors a gratification of a whole year's pay, for their forwardness in promoting our service.

"We further promise and declare, that the vassals of such as shall, without regard to our present declaration, obstinately persist in their rebellion, and thereby forfeit all pretensions to our royal clemency, shall be delivered from all servitude they were formerly bound to, and shall have grants and charters of their lands to be held immediately of the crown, provided they, upon the publication of this our royal declaration, declare openly for us, and join heartily in the cause of their country.

"And having declared our gracious intentions to our loving subjects, we do hereby require and command them to be assisting to us in the recovery of our rights, and of their own liberties: and that all our subjects, from the ages of sixteen to sixty, do upon the setting up of the royal standard, immediately repair to it, or join themselves to such as shall first appear for us in their respective shires; and also to seize the horses and arms of all suspected persons, and all ammunition, forage, and whatever else may be necessary for the use of our forces.

"We also strictly command all receivers, collectors, or other persons, who may be seized of any sum or sums of money levied in the name or for the use of the usurper, to retain such sum or sums of money in their own hands, till they can pay them to some person of distinction appearing publicly for us, and demanding the same for our use and service; whose receipt or receipts shall be a sufficient discharge for all such collectors, receivers, or other persons, their heirs, &c.

"Lastly, we do hereby require all sheriffs of shires, stewarts of stewartries, and their respective deputies, magistrates of boroughs, and bailies of regalities, and all others to whom it may belong, to publish this our declaration, at the market crosses of their respective towns and boroughs, and there to proclaim us, under the penalty of being proceeded against according to law, for their neglect of so necessary and important a duty.

"Given at our court at Rome, the 23d day of December, 1743, in the forty-third year of our reign.

"J. R."

"JAMES R.

"Whereas we have a near prospect of being restored to the throne of our ancestors, by the good inclinations of our subjects towards us, and whereas, on account of the present situation of this country, it will be absolutely impos-

ing to land in Great Britain or Ireland, or any of the dominions or territories thereto belonging. This Charles met by a counter proclamation, offering the same reward to any person who should apprehend king George, whom he designated the elector of Hanover, landing or attempting to land in any part of the British dominions. This was dated "In our camp at Kinlocheill, August the twenty-second, 1745; by his highness' command, signed John Murray." Various rumours had reached Edinburgh, not very remote from the truth; but the first that appears to have been really credited, was the letter which the lord president received by express from the Highlands, evidently that from Norman Macleod, part of which we have already quoted, and which the lord president showed to Sir John Cope on the ninth of August, after which there was no time lost in making what preparation was thought necessary for suppressing immediately an attempt so audacious. All the disposable troops were of course assembled; and it being the opinion of the lord president, the lord advocate, and the solicitor general, with all of whom he carefully consulted, that the pretender's son would not have ventured on the attempt without some prospect of a very considerable rising in his favour, and that the only way of preventing wavering people from join-

sible for us to be in person at the first setting up of the royal standard, and even some time after: we therefore esteem it for our service, and the good of our kingdoms and dominions, to nominate and appoint, as we hereby nominate, constitute, and appoint, our dearest son Charles, prince of Wales, to be sole regent of our kingdoms of England, Scotland, and Ireland, and of all our other dominions, during our absence. It is our will and intention, that our said dearest son should enjoy and exercise all that power and authority, which, according to the ancient constitution of our kingdoms, has been enjoyed and exercised by former regents, requiring all our faithful subjects to give all due submission and obedience to our regent aforesaid, as immediately representing our royal person, and acting by our authority. And we do hereby revoke all commissions of regency, granted to any person or persons whatsoever. And lastly, we hereby dispense with all formalities, and other omissions that may be herein contained; declaring this our commission to be as firm and valid to all intents and purposes, as if it had passed our great seals, and as if it were according to the usual style and forms.

"Given under our sign manual and privy signet, at our court at Rome, the 23d day of December, 1743, in the forty-third year of our reign.

"J. R."

ing the disaffected, would be the prospect of an overwhelming opposition, the commander in chief made dispositions for instantly marching into the Highlands. Most unfortunately, however, various circumstances over which he had no power, retarded his movements. It was absolutely necessary that he should carry with him at least twenty days' bread, as he was to pass through a country where none was to be had; and though all the biscuit that Edinburgh and Leith could furnish, was bought up, and the bakers there, as well as in Perth and Stirling, were set to work night and day, the necessary quantity could not be obtained before the twentieth, and part of it only reached him on his march at Amulrie on the twenty-second. Money to subsist his troops was also necessary, and though he wrote for it on the third, he did not receive a letter of credit till the seventeenth of August. After all these delays, he arrived at Stirling on the nineteenth, and set out on his march to the north on the twentieth. His marches, however, were retarded every day for want of baggage horses; there being few enclosures on the way, it was necessary to graze them at night in the open country, and they were carried off by the drivers, so that he did not reach Dalwhinnie till the twenty-sixth.*

The Jacobites, in the meantime, exerted themselves to the utmost in spreading false and contradictory reports, to perplex and mislead the public mind. At one time they gave out that the prince, as they called him, had landed in the Western Isles, with ten thousand French—next day it was asserted, with equal confidence, that he had landed in the Highlands without any troops, but wherever he came, that the Highlanders, to a man, had taken arms; and, in opposition to both these, it was asserted that he was still in France, and had no intention of coming to Britain. This last account was particularly insisted upon by those Jacobites who were in the secret, by which, and by anonymous letters containing articles of intelligence the most absurd, which they afterwards published with scurrilous comments, they held up the commander in chief and his preparations to ridicule, in which they were very foolishly joined by

* *Memoirs of the Rebellion, 1745, by the Chevalier de Johnstone, p. 11.—Note.*

many who had no respect either for the pretender or his viceroy Charles.*

In the west Highlands there was no less bustle and preparation in forwarding the insurrection, than in the Lowlands for its suppression, but with this difference, that every thing was prepared to their hand in the former, while in the latter the very material to work upon was yet to be sought out. The rebel standard having been set up at Glenfinnin on the nineteenth, the twentieth was employed in carrying baggage, arms, ammunition, &c. from the head of loch Shiel to the head of Lochie, where Charles remained to the twenty-third. On the twenty-third he went to Fassefern, where he remained for the night, having sent a detachment of the Camerons with his baggage forward to Moy in Lochaber, whither he himself removed on the twenty-fourth. At Moy he remained till the twenty-sixth, when he crossed the water of Lochie, and was joined by the Stewarts of Appin, to the number of two hundred and twenty, or two hundred and sixty. He was this day informed by express from Glenbucket, that Sir John Cope had arrived in Badenoch, and was to march by Corryarrak, on which he ordered his men to pursue their route by night, that they might take possession of that important pass, which they did accordingly. Charles passed the night at the castle of Invergarry, where he was waited upon by Frazer of Gortuleg, who assured him of the services of lord Lovat, who by this time had been put in possession of Charles' letter, and recommended as the surest way to promote the success of his cause, that he should march north and raise the Frazers of Stratherrick, and by the time he could reach Inverness, Sir Alexander Macdonald and Macleod would have time to join, as would a great many of the Mackenzies, some of the Grants, the Frazers, and Mackintoshes, &c. &c. This advice was opposed by the marquis of Tullibardine, who insisted upon his immediately appearing in Athol, that his brother the duke of Athol might be brought to join in the enterprise. Murray, the secretary, seconded this advice, and particularly insisted upon the propriety of hastening to Edinburgh, where, he assured them,

* Home's History of the Rebellion, p. 39. Scots Magazine for 1745.

there were a great many waiting to join them. This last advice, seconded by their necessities, which, had they been confined for a short time to the Highlands, would have been extreme, prevailed, and Charles proceeded to Aberchalader, near the foot of Corryarrak. Here he was joined by the Grants of Glenmoriston and the Macdonalds of Glengary, to the number of six hundred.* By break of day on the twenty-seventh, the Highlanders began to ascend Corryarrak, and marching to the summit of the mountain, waited the approach of the king's army.

Corryarrak lies directly in the way from Stirling to Fort Augustus, and occupies one half of the last day's march from Garvamore to that place, the whole of which is only eighteen miles. On the south side, which, when viewed from a distance, seems to rise almost perpendicular, the military road is carried up to the summit of the mountain by seventeen traverses, and on the long descent to the level ground, where Fort Augustus stands, is carried down much in the same manner, passing through several glens with brooks and gullies, over which bridges are thrown to facilitate the passage, by breaking down which the road may at any time be rendered impracticable for regular troops. This natural fortification it would have been madness in the general to have attempted, though his numbers had been triple to what they were, much more when he was really inferior in numbers to the forces he had now opposed to him.†

Sir John Cope had left Stirling with not above one thousand four hundred infantry, the two regiments of dragoons, from the nature of the country he intended to occupy, where their services could not be effective, and the difficulty of subsisting them behoved to be great, being left the one at Leith, and the other at Stirling, and he carried arms along with him for one thousand well affected Highlanders, he was made to expect he would meet by the way, not one of whom he ever saw. Seven hundred of the arms he sent back to Stirling

* Lockhart Papers, vol. ii. p. 442. Culloden Papers, p. 217.

† There is a vast difference of statement regarding the number of the rebels both at this and other places, but by all accounts, even the most moderate that can at all be reconciled with probability, they must have been nearly, if not above, two thousand men.

when he had reached Crieff, and saw no prospect of being re-enforced. At Dalnacardoch, on the twenty-fifth, he was met by captain Sweetnam, who had been ordered from the barrack of Ruthven to Fort William, to take the command of three companies of Guise's regiment, which were in garrison there, and on his way to that Fort had been made prisoner at Letter Findlay, half way between Fort Augustus and Fort William. He had been carried to the rebel camp, saw the standard unfurled at Glenfinnan on the nineteenth, and on the twenty-first, after giving his parole of honour, was allowed to depart. The number of the rebels when he left them, captain Sweetnam stated to be about fourteen hundred men, but he had met several parties on the road going to join them, and he had heard at Dalwhinnie that they were to wait on Corryarrak for the king's troops, at least three thousand strong. When the general arrived next day, the twenty-sixth, at Dalwhinnie, he received a letter by express from the lord president, Forbes, confirming the captain's account of the intention of the rebels to meet him on Corryarrak, and warning him to beware how he ventured upon that dangerous pass.*

At Dalwhinnie the army was yet twenty-two miles from the beginning of the ascent of Corryarrak, and the general, evidently willing if any mistake had been committed, that it should be instantly rectified, called a council of war, to which was summoned every field officer and every commander of a separate corps in his little army, before whom he laid the secretary of state's positive orders to march into the Highlands, with the different accounts he had received of the situation, the number, and the intentions of the rebels, all of which when the council had considered, they were unanimously of opinion that the road by Corryarrak was impracticable. Being asked by the general what, under all the circumstances of the case, was most proper to be done? they gave it unanimously as their opinion, that it was more expedient and more agreeable to the orders of the secretary of state to march to Inverness, the only part of the chain of forts which it appeared practicable to reach, than either to remain where they were, or to march back to

* Home's History of the Rebellion, pp. 41, 42. Scots Magazine for 1745.

Stirling. Acquiescing in these opinions of the council of war, which were delivered to him in writing, and signed by all the members, the general marched his army on the twenty-seventh towards Garvamore, and proceeded as far as Blarigg Beg, when he ordered the troops to face about, and take the road to Inverness by Ruthven.*

Sir John had in his army two additional companies of the forty-second when he marched from Stirling, and forty men of lord Loudon's regiment (Highlanders) joined him at Tay bridge, of whom several went off every night to their friends on the hills, carrying along with them their arms and accoutrements, together with what information they had been able to collect, and no sooner had the troops taken the road to Inverness, than another of them, named Cameron, a common soldier, deserted with the glad tidings to his countrymen,† who were thus left at liberty to pour down upon the Low Country at their pleasure, with the most perfect certainty, for a considerable time at least, of meeting with no opposition.

This march to the north, though advised by all the civil authorities in Scotland, and by some of those who ought to have known, yea, were supposed to know most perfectly the state of the Highlands, was certainly a very questionable measure, and could scarcely have been expected to end more favourably than it did. Had the general, however, been a man of less prudence, or less military talent, the consequences would have been still more mischievous. Had he been but one hundredth part the fool which the popular voice has represented him, he had certainly rushed into the Highlands, and been cut off with all his army; or he had lingered about Dalwhinnie, or Garvamore, till famine had saved him from the swords of the rebels; or adopting what by many will be thought the best thing he could have done, he would have retreated to Stirling, bringing in one dense and destructive cloud, the whole savage north along with him. There cannot be a doubt but that he perceived the folly of the expedition he had set out upon before he reached Dalwhinnie, but he had positive orders to proceed to the north, and he executed these orders, considering his circumstances, with as

* Scots Magazine for 1745.

† Home's History of the Rebellion.

little loss, and more real advantage, than could well have been expected.

The principal objects aimed at by the march of the troops directly to the north, were, in the first place, to extinguish the spark of rebellion ere it had time to be fanned into a flame, which, from the strength it had already attained, and the total want of co-operation on the part of the people, it was utterly impossible he could accomplish; but, secondly, it was also an object to overawe those clans whose fidelity might be doubtful, and to determine those whose judgments might be wavering, and this he accomplished in no inconsiderable degree; for it would be ridiculous to suppose, that the admonitions of the lord president were not considerably more powerful when backed by an army of so much magnitude, and so well found, so suddenly set down at their very doors, than they could possibly have been without any such demonstration. It is to this very circumstance we are disposed to attribute the continuance of that hesitating policy among a number of the disaffected clans, which prevented them from declaring themselves till their services were unavailing, except to deepen the horrors of a desperate struggle, and to add to the tempest of retributive justice that was so speedily to overtake them.

This movement was, however, to Charles and his council, for the present, no small relief, for their money was by this time expended, and no sooner were they informed of the circumstance, than the Highlanders were put in motion, who marched down the traverses of Corryarrak, with the hasty strides of conquerors about to divide the spoil. When they came to Garvamore, proposals were made to pursue the king's troops, or to get between them and Inverness, by cutting across the country; but it was judged to be much more for their interest to fall down into the Low Country, and, if possible, possess themselves of Edinburgh before the general and his forces could return from the north, where in the meantime a correspondence was carrying on fully as important as the movements of either army had yet become.

The lord president of the court of session, Duncan Forbes of Culloden, a man, from his many virtues, dear to all parties, and particularly revered in the north, where his family had been

long distinguished, was no sooner certified of the landing of Charles, than he hastened to his family residence, by his presence and his advice to restrain that turbulence of disposition which he knew to be but too common with a number of his neighbours. We have already seen that he had notice very early of the landing of Charles from Macleod of Skye, who was always understood to be in the Stuart interest, and he had been only two days at Culloden, where he arrived on the thirteenth of August, when he received the following notice from Sir Alexander Macdonald, dated the eleventh:—"My lord, you will have heard before this reaches you, that some of our neighbours of the mainland have been mad enough to arm and join the Young Adventurer, mentioned in Macleod's letter to you. Your lordship will find our conduct, with regard to this unhappy scrape, such as you'd wish, and such as the friendship you have always showed us will prompt to direct. Young Clanronald is deluded, notwithstanding his assurances to us lately; and what is more astonishing, Lochiel's prudence has quite forsaken him. You know too much of Glengary not to know that he will easily be led to be of the party; but as far as I can learn, he has not yet been with them. Mr. Maclean of Coll is here with his daughter, lately married to Tallisker, and he assures us of his own wisdom; and as he has mostly the direction of that clan, promises as much as in him lies to prevent their being led astray. You may believe, my lord, our spirits are in a good deal of agitation, and that we are much at a loss how to behave in so extraordinary an occurrence: that we will have no connexion with these madmen is certain, but are bewildered in every other respect till we hear from you. Whenever these madmen meet with a check, 'tis more than probable they will retire to their islands: how we ought to behave in that event we expect to know from your lordship. Their force, even in that case, must be very inconsiderable to be repelled with batons, and we have no other arms in any quantity. I pledge Macleod in writing for him and myself. I come now to tell you what you surely know, that I am most faithfully," &c. &c.*

* Culloden Papers, p. 207.

This was followed by one from Macleod, dated Sconsar the seventeenth:—"My dear lord, I got yours here, which is eighteen miles from my house, on the road to Glenelg, where I go armless and alone, to prevent any mischief there from their close neighbourhood with Knodart; I mean any of my people's being tempted with plenty of money to go a volunteering. As to their being pillaged, it's what I take for granted. My dear lord, I have all along wrote you without reserve, which Sir Alexander's last letter, (which you ought to have got the same day as yours was wrote,) will evince; and all I have to add, is, that what we wrote is true, and no more. He had but one ship, a privateer, of eighteen guns, with about sixteen hundred bad guns, and as many worse swords; about twenty-five officers, mostly Irish, or of Irish parents, and there is but one of them that ever was so high a rank as lieutenant colonel. I hear of no more that has as yet joined them. He sets up his standard on Monday, and as I am pretty sure of information from thence, you shall know it. The place Glenfinnin, which is the outlet from Moydart and Arisack to Lochaber. Except the duke of P—h get at them, I really do not see where they will find another man, for I know from Lovat his forwardness to serve the government; and as to the M'Intoshes, M'Phersons, &c. &c. sure they are all quiet, at least, if not well-affected. In my weak opinion, it would be a very wrong step to draw many of the troops to Scotland, as there can be little danger here, and that they give out there is a strong landing to come either from Cadiz or Ferrol, to the south-west of England, with thirty thousand stand of arms to the discontented there, who are ready to take them. This may be only meant to put spirit in his adherents here, but if it is true, it's worth notice, which the insurrection here hardly is yet. Sir Alexander Macdonald and I can easily raise from fifteen hundred to two thousand men for the king's service, if they are wanted, and I am sure we are willing; but then some of our ships would require to land that number of arms here, else eighteen hundred staves, with about two hundred guns and swords, would make but a foolish figure. The privateer is sailed away to the northward, and it is true she took three meal barks, and ransomed them, and sent some of her crew with the ships where the young

chevalier was; they took as much of the meal as they thought proper, and paid for it, and dismissed them. I can think of nothing else just now; the place and paper agree. You will soon hear from me. I am, with the utmost friendship and attachment," &c. &c.

"There is surely no Scotsman of any note come over with him but the duke's brother, who is turned an old woman, if I can credit my cousin."*

These letters are exceedingly characteristic. The writers were both evidently at bottom in the interest of the pretender, though they were labouring to convince their correspondent of the contrary. The appeal made to the zeal and loyalty of Lovat is curious and striking, when we know that he was one of the principal conspirators, and, like themselves, was at the very moment embarrassed beyond measure in what manner to conduct himself, so as to play a sure game whatever side might at last prevail. The talk of repelling the disaffected with batons and staves, is a very artful mode of reflecting on the government for the disarming act, and of excusing themselves from taking any active hand in suppressing the insurrection. We have already spoken of that act, which, from the way in which it was executed, it was easy to see behoved to be highly prejudicial, all those having given up their arms whom it was the interest of the government to have kept in arms, while all those whom it was their interest to disarm, retained them, by which means they became terrible to their neighbours, and now were able to beard the government itself:—"As to what you mention touching the disarming act," says the lord president, writing to the lord Lyon, only two years previous to this, "without entering into the question how far it was expedient to have enacted that law at the time, I believe no one will think this a fit time for repealing it; and I am confident, that to the effect of it, is owing in a great measure the disorder we now so sensibly feel. Had the host of thieves who now plunder us been thoroughly disarmed, and kept from the use of arms since the date of the first act, we should have had no complaints at present; or if that act had never passed, and if the Highlands adjacent to the

* Culloden Papers, p. 208.

thieving countries had remained armed as formerly, these robbers durst never have ventured to prey upon them, and must even make their inroads on the lowest countries with much more precaution; but at present, as the banditti are armed whilst their neighbours are disarmed, they roam about in troops in broad daylight, without any apprehension from the country which is disarmed, or from the troops who cannot follow so as to come up with them." * The complaints and the professions of these chieftains evidently, however, gained credit with the president, and led him to indulge hopes in his own mind, and to encourage them in others, respecting the aid that might be derived from the Highlands, which were not realized. But he possessed a noble spirit of patriotism, which no discouragement could damp, and he continued to reason, to advise, and to remonstrate with his friends, long after he must have seen through their deceit.

Of those friends the most remarkable and among the most powerful was Fraser of Lovat, who, under the direction of the lord president, then only lord advocate, had been of signal service in suppressing the rebellion in the north in the year 1715, in consequence of which he had obtained many particular favours from the government, which he had carefully improved for extending his power and his influence, without at all attending to the tone of his loyalty, which had for years been sadly relaxed. He had indeed been used a great deal better than he really deserved, but, for some years back, not as sound policy required; and, though it was not yet certainly known to any of the authorities, there were strong reasons for suspecting that he would throw himself into the arms of the pretender. Aware of his power, and perhaps conscious of his having been rather neglected, the lord advocate, Mr. Robert Craigie, wrote him from Edinburgh, on the fifteenth of August, to the following effect:—"My lord, though I have not had the honour of any epistolary correspondence with your lordship for some time past, yet I think it my duty, at this juncture, to trouble your lordship with a letter. The government hath certain intelligence that a sloop from France hath lately arrived upon the

* Culloden Papers, p. 363.

west coast of Scotland, with certain gentlemen, friends of the pretender, on board, some of whom are landed in Scotland, and are stirring up a rising among the clans.

“ I have not forgot your lordship’s services in the year 1715, your zeal for the government, and your power and influence in the Highlands; and whatever grounds of complaint you may have against particular persons that they may have ungrateful memories, yet I cannot doubt but that your lordship retains the same spirit and regard to the public peace as in former times, especially that now you have so great a stake in the country.

“ I am sorry to be informed of your bad state of health, but I know you have a son who, conducted by your counsels, will be able to supply any defect that way. The duke of Argyle is expected in town in a few days. I shall be very glad to be assisted with your information with regard to the state of the Highlands. I have the honour,” &c. &c.*

To this communication Lovat returned an answer, boastful, evasive, and disingenuous:—“ My lord, I received the honour of your most obliging and kind letter, for which I give your lordship a thousand thanks. Your lordship judges right when you believe that no hardships or ill usage that I meet with can alter or diminish my zeal and attachment for his majesty’s person and government. I am as ready this day, as far as I am able, to serve the king and government, as I was in the year 1715, when I had the good fortune to serve the king in suppressing that great rebellion, more than any one of my rank in the island of Great Britain; but my clan and I have been so neglected these many years past, that I have not twelve stand of arms in my country, though, I thank God, I could bring twelve hundred good men to the field for the king’s service, if I had arms and other accoutrements for them. Therefore, my good lord, I earnestly entreat that, as you wish that I would do good service to the government on this critical occasion, you may order immediately a thousand stand of arms to be delivered to me and my clan at Inverness, and then your lordship

* Culloden Papers, pp. 209, 210.

shall see that I will exert myself for the king's service. - Although I am entirely infirm myself these three or four months past, yet I have very pretty gentlemen of my family that will lead my clan wherever I bid them for the king's service. And if we do not get these arms immediately, we will certainly be undone, for those madmen that are in arms with the pretended prince of Wales, threaten every day to burn and destroy my country if we do not rise in arms and join them, so that my people cry out horridly that they have no arms to defend themselves; nor no protection and support from the government. So I earnestly entreat your lordship may consider seriously on this, for it will be an essential and singular loss to the government if my clan and kindred be destroyed, who possess the centre of the Highlands of Scotland, and the countries most proper by this situation to serve the king and government.

“As to my son, my lord, that you are so good as mention, he is very young, and just done with his colledges at St. Andrews, under the care of a relation of yours, Mr. Thomas Cragie, professor of Hebrew, who I truly think one of the prettiest and most complete gentlemen that ever I conversed with in any country, and I think myself most happy that my son has been under his tutory. He assures me that he never saw a youth that pleased him more than my eldest son; he says he is a very good scholar, and has the best genius for learning of any he has seen, and it is by Mr. Thomas Cragie's positive advice, which he will tell you when you see him, that I send my son immediately to Utrecht and other places abroad, to complete his education. But I have many a one of my family now fitter to command than he is at his tender age, and, I do assure your lordship, that they will behave well if they are supported as they ought from the government, and I hope your lordship will procure that support for them.

“I hear that mad and unaccountable gentleman has set up a standard at a place called Glenfinnin, Monday last. This place is the inlet from Moidart to Lochaber, and bear of none that joined him as yet but the Camerons and the Macdonalds, and they are in such a remote corner that nobody can know their number, or what they are doing, except those that are

with them. I humbly beg to have the honour to hear from your lordship in return to this, and am, with all the esteem and respect imaginable, my good lord,"* &c. &c.

A very short time proved how little truth there was in any part of this letter, and we do not think it very strange for a man of lord Lovat's character to play off falsehoods of the kind with his majesty's advocate, who probably had not much personal acquaintance with him, and whom he might look upon as altogether an interested correspondent, but we find him at the same time playing the same game with the lord president, who had known him long and intimately, whom, if he was capable of any such feeling, he really respected, and to whom he lay under the highest personal obligations. Scarcely had his lordship reached Culloden, when he was waited on by Lovat, who assured him that he had heard with great uneasiness the reports that were scattered abroad, but that he looked on the attempt as very desperate, and though he thought himself but indifferently used of late, yet his wishes, as well as his interest, still led him to support the present royal family; and having lain absolutely still, lest his stirring in any sort might have been misconstrued, he now requested of his old friend his best advice what was proper to be done on the occasion. All this was what he knew would be highly gratifying to the loyal, the patriotic, and from his years and his many virtues, the venerable president, who commended his prudence, and requested him till the scene should open a little, to content himself with procuring intelligence, which the situation of his clan enabled him to do with great facility, and to prevent his kinsmen from being seduced by their mad neighbours, all which he readily promised to perform.†

This, however, on the part of Lovat, was only a trick to conceal his real sentiments, and to gain time, for the double purpose of ascertaining probabilities on either side, and of making undiscovered all necessary preparations. He had, as we have seen, received the pretender's letter, with the promise of having all his demands granted; and he had sent his kinsman Gortuleg to wait upon and compliment Charles at Invergarry,

* Culloden Papers, pp. 110, 111.

† Culloden Papers, p. 372.

and to request him in his name to turn east by Stratherrick, Inverness, &c. by which means, he assured him, he would at once carry along with him the whole strength of the north. Yet the very day previous to his sending Gortuleg on this mission, we find he transmitted the following letter to the lord president; the date is August twenty-fourth, the day after he had written to the lord advocate that which we have quoted above:—"My dear lord, after writing of my letter yesterday, I conversed very seriously with the man I mentioned in my letter, who is a very sagacious, sly, cunning, intelligent man.* As he professes great friendship for me, I examined him as narrowly as I could upon the affairs of the west, and he tells me they are not so desperate as we imagine. He says, that he does not believe that there are three clans in the Highlands but will send their men to them whether their chiefs go or not. He told me that Glengary was to come back as last night from Athol, and that this day he was to rendezvous all his men in order to march to the west. He says that they expect succour from France and Spain every day.†

* The letter alluded to has not come under our observation; but this "sagacious, sly, and cunning man," was probably no other than Lochiel's messenger, who was sent to acquaint him, that his commission for being lieutenant general of the Highlands, &c. was come, and ready to be delivered to him on the stipulated conditions; or, as he gave an evasive answer to that message, this was perhaps an emissary of the Macdonalds of Glengary.—Lockhart Papers, vol. ii. p. 440.

† The two following letters were very successfully handed about among the followers of Charles as infallible proofs of the hearty affection of the courts of France and Spain.

My Master,

The sincerity of the wishes which I have formed for your R. H. could never be equalled but by the mortal chagrin of not being able to follow you, to offer you all my blood. The attachment, and yet more, the respect I have for your person, and if I dare name it, the tender and faithful friendship with which I am penetrated for you, engages to this. In effect, Dear P., who would not feel all that I feel at the aspect of an enterprise so worthy of admiration, and of the august blood from which you are sprung.

On the receipt of the charming letter with which you honoured me, I flew to the king, and on my knees, with tears in my eyes, conjured him to sustain the designs he knew to be so lawful. I painted to him the perils to which you was exposed. In fine, I said every thing that you might expect from the

" I have but melancholy news to tell you, my dear lord, of my own country, for I have a strong report that mad Foyers is

sentiments that attacks (attaches) to your Royal Highness. Judge then the joy the answer he made procured me, in assuring me that he had taken to heart as much as it was possible for me, the project that you had formed; and that I might assure your R. H. that every thing you could possibly have occasion for was ready. I insisted with the Ministers to send the troops immediately; but they answered, that it was absolutely necessary to have the news of your arrival before any thing should be made to part from here; and that your R. H. had but to ask what should be convenient and useful for your designs, and they should be ready. Not knowing how to acquaint your R. H. with what they had done, I wrote it to Mr. Obrain. I dare flatter myself that you will not leave me long in this mental inquietude of the ignorance of your arrival; and that your R. H. will again permit me to assure you, that you may at your pleasure dispose of all my estate and blood; and in whatsoever service you design to employ me, you shall find fidelity and vivacity to serve you with all my power, and the most profound respect; with which I shall have the honour to be while I live,

My Master,

Your Royal Highness' most humble and obedient Servant,
LOUIS DE BOUILLONE.

My Master,

When I received the orders of my court on the subject of your R. H., I did not leave a moment to go and wait with this court. His most C. Majesty did not hesitate to promise a prompt succour of men, money, and arms, and ordered that they should prepare the one and the other. I immediately despatched a courier to the king, my master; and I can assure your Highness that his Catholic Majesty has conformed himself to the dispositions of the most C. King and his navy; and that he shall furnish a succour altogether equal to that of his court. There are determinations fixed, on which your R. H. may count. But this is not all; the most C. King added, that when he learned the dispositions of your people were fortified by your presence; and that they had taken your resolution, he would augment these first succours, by making some more troops to pass to whatsoever place should be thought convenient to sustain them; and I have reason to believe, that the brigade of Ireland is named for this destination. The king, my master, shall furnish the same number of troops. I have the honour to inform your R. H. of this disposition with a satisfaction of heart so very lively, that nothing can add to it but the wishes I have for the happy success of so just an enterprise. I pray your R. H. to receive this assurance, and also of the most profound respect, with which I have the honour to be,

My Master,

Your R. H. most humble and most obedient Servant,
LE PRINCE DI CAMPO FLORIDA.

P. S. We attend here with the utmost impatience, the news of your R. H. debarkment.—Culloden Papers, p. 206.

either gone, or preparing to go to the west; and I have the same report of poor Kilbokie, but I don't believe it. However, if I be able to ride in my chariot the length of Inverness, I am resolved to go to Stratherrick next week, and endeavour to keep my people in order. I forgot to tell you, that the man yesterday assured me, that they were resolved to destroy and burn all the countries where the men would not join them, with fire and sword, which truly frights me much, and has made me think of the best expedient I could imagine to preserve my people.

“As I know that the laird of Lochiel has always a very affectionate friendship for me as his relation, and a man that did him singular services, and as he is perfectly well acquainted with Gortuleg, I endeavoured all I could to persuade Tam to go there, and that he should endeavour in my name to engage Lochiel to protect my country, in which I think I would succeed; but I cannot persuade Gortuleg to go; he is so nice with his point of honour, that he thinks his going would bring upon him the character of a spy, and that he swears he would not have for the creation. I used all the arguments that I was capable of, and told him plainly, that it was the greatest service he could do to me and to my country, as I knew he could bring me a full account of their situation, and that is the only effectual mean that I can think of to keep the Stratherrick men, and the rest of my people, at home: and I am persuaded that Lochiel would use all the interest he has to preserve my country. He told me at last he would take some days to consider of it, until he comes out of Stratherrick; but I am afraid that will be too late. I own I was not well pleased with him, and we parted in cooler manner than we used to do. Since writing what is above, I have got three or four Gazettes from good hands from the west. They assure me that the Highland army, and their pretended prince, were last night at Laggan Auchadroum, and that they will march this day to Aberchalder. Your friend, the old Chisholm, told this to Culcairn, this day as he was coming to dine with me, and I had it from others. What turn they will take afterwards is what is not yet made public, but some think they will march over Corryarrak, which I wish with all my heart they may do, that we might be fairly rid of them. Others say that they will come down through Stratherrick, and

destroy it if they don't rise; and others, through Urquhart, to go to Ross: and it's my opinion, they don't yet know themselves what to do, or what they are doing. Do not think, my dear lord, that I am glad when I tell you, that some of your favourites, the Mackenzies, are gone to join the pretended prince. I spoke to two men that saw them pass by yesterday at the head of my country, and spoke to them; and your favourite, that spoke to Culcairn this day, will send his men to join them, whether he go himself or not. You may depend on it, that Glenmoriston and the Urquhart people will likewise join in a day or two, so that my people are the only left in the lurch; but I am very easy, for I have your lordship's word, that neither I nor my people will lose any thing, but that government will make up our loss effectually. I will send an express to-morrow morning to Gortuleg, and entreat of him, as he loves me, if he sees these mad people coming to go and meet them, and expostulate with the laird of Lochiel not to hurt my country, but to preserve it from being destroyed, otherwise that he may assure himself that I will make reprisals, though I honour much the lady Lochiel, and that she is my cousin-german. I know Gortuleg has a vast regard for your opinion in any thing, I therefore humbly beg, my dear lord, that you may write him two lines enclosed to me, and desire him to go and meet Lochiel, and endeavour to persuade him to preserve my country, and I truly think it will have a good effect every way. I shall eternally remain, with zeal and esteem, my dear lord, your lordship's most attached cousin, and faithful slave, &c. &c.

“ P. S. I am glad now to assure your lordship that honest Kilbokie has not stirred, and will do nothing without my consent, and I hope it's the same thing with the Stratherrick men. I can now assure your lordship, by people from that country, that none of my people of Stratherrick or Abertarf are stirred—this gives me great joy, and I have just now got a letter from Sandy Culduthel's brother confirming all that I have said, and that the Highland army were last at Mockomire, and only this night to be at Laggan Auchadroum—that they were yesterday three thousand strong. He assures me that no men out of Appin, Glenco, Stralachan, Glengary, Knodart, or Glenmoriston, had yet joined them. My dear lord, you know that you engaged

to me in honour never to give me as author for any intelligence or information that I give you, and I am persuaded that you will keep your word; for if you do not, the next thing you must do is to cut my throat, for of all things in the world I hate to be called an informer. I beg you may excuse the errors and blunders of this letter, for I never was in a worse state of health than since I began to write it." *

That the lord president was imposed upon with this tissue of falsehood and fustian, it would be the height of absurdity to suppose; but, sensible of the great importance of retaining Lovat at least in a state of neutrality, till some favourable event on the side of the government should fix his wavering policy, he answers him in the most polite and manly manner, giving him that friendly advice which he seems to have stood in need of, and correcting his mistakes, without staying to tell him that he had made them:—"My dear lord, this moment I have received yours of last night's date. I am very glad to hear that your mind is easy on the subject of Foyer and Kilbokie. I always thought that the affection of your people would preserve them from folly, especially when your interest so essentially requires prudence in them. Your directions to Gortuleg were very right, and I am surprised he boggles at them, since the execution of them is in my opinion consistent with the strictest honour. A letter from me, advising what you directed, might, your lordship will upon reflection see, be improper; but it is farther surely unnecessary, because I at Inverness, and at Cul-loden, delivered him, by word of mouth, the same opinion in the strongest terms, and I hope he will pursue it. I have no notice that Lochiel, or any of the gentlemen who know this country, will think it advisable to exasperate men, who, being pushed too far, must in self-defence prove the instruments of their ruin. Suppose they should force individuals of a kindred to go alongst with them against the interest and inclinations of their chiefs, must not they depend on it that those will take the first opportunity to leave them. They cannot, at least they ought not to forget the desertion of your people from Perth in the year 1715, and therefore I imagine they must desist from

such barbarous policy. But if they should injudiciously do otherwise, I see nothing your people have to do, but that the gentlemen should get the cleverest young fellows together, in the best trim they can, keep together, and avoid them if they are too many, and reserve themselves for your further service; trusting, that if, on no resentment, any damage shall be done, it will be made good by the government, in whose service it was sustained. Should the gentlemen who are now in arms know this to be your disposition, I imagine they would think twice before they provoked you, for they must conclude, that the least horse play on their part would naturally dissolve any expectations which they might idly have entertained concerning the conduct of some of their friends, and force them, with a vengeance, into the other side. What you have heard concerning the kinsmen of those whom you call my favourites, may possibly be the case, but if it is so, they lie impudently, and must soon feel the bad effects of it; but I incline to think at present you have been misinformed. I have considered your answer to the Advocate's letter, which is a very good one. As to what you have the goodness to communicate to me, rely on it, it is dead and buried, and shall never rise again, unless it may rise at a proper time to do you service. I rely upon hearing from you daily. I am most certainly yours," &c. &c.*

Advices having reached the lord president at Culloden, that Sir John Cope was upon his march to the north, he lost not a moment in transmitting the intelligence to all and sundry of his neighbours, and especially to those of whose fidelity to the government he stood most in doubt. The following notice he transmitted to lord Lovat, by an express, on the night of the twenty-sixth, the very night that Charles was preparing to intercept the king's troops in the defiles of the Corryarrak :—" My lord,---This afternoon I had an express from Sir John Cope, from Trinivuit, where he lay on the twenty-fourth, with his army encamped. He was to set out the next morning, to find out the unhappy gentlemen who are in arms, with a force, which, if they are wise, they will not think fit to look in the face. What you have to do on this occasion, according to my

* Culloden Papers, p. 218.

apprehension, is to give directions that all your people be in readiness, with the best accoutrements they are masters of, to conform to such directions, as when he arrives, he, with the advice of the king's friends in this country, will give. I should think it impossible that your zeal upon this occasion should not be of service to yourself and to your family. I need say no more to one, to whom I have lately said so much, on this subject. Let me hear from you as soon as possible, I am," &c.*

This was an announcement of the most painful kind to Lovat, who had not had time for the necessary preparations, nor had any thing particularly promising occurred to determine him in a choice, which was to be made upon the whole from motives of interest rather than affection. He of course adopted his usual shifts, flattery, evasion, and gasconading:—"My dear lord," says he, "I was so very bad yesterday, and last night, that I did not expect to see the light of this day, so that it was this morning before I had the honour of your letter put into my hand, and I am glad to find, that though I be tormented to death with boils on my body, which makes me feverish, and most uneasy, yet that your lordship is in perfect health, which I wish the continuance of, as should all those that love their country do, being more useful and valuable to the commonwealth than a thousand like mine.

"Since Sir John Cope has such a powerful army, I hope our desperate countrymen will avoid to see him; but if they are so mad as to fight, that unfortunate prince must fall, with the bravest of his adherents, most foolishly. I own I must regret my dear cousin Lochiel, who, contrary to his promise to me, engaged in this mad enterprise. But if Sir John Cope is beat, which I think next to impossible, this desperate prince will be the occasion of much bloodshed, which I pray God may avert; for to have bloodshed in our own bowels, is a horrible thing to any man that loves Scotland, or has a good stake in it, as your lordship and I have. Therefore, I pray God that we may not have a civil war in Scotland; this has been my constant wish ever since I had the use of my reason, and it shall be

the same while there is breath in me; so that they must be damnably ignorant of the principle of my heart and soul, who would imagine that I would endeavour to promote a civil war in my country.

“ I do assure you, my dear lord, that if the king had taken away my house, and a part of my estate, without any just ground, as he did my company, that I would go and live, though most miserable, in any country on earth, rather than make a civil war in my own country. I hope this will convince your lordship that I have always been a declared enemy against this mad project. Now, my dear lord, as to what you desire me, of acquainting all my people to be in readiness, I do assure you, that I did so immediately after coming from Inverness; but to obey your commands, I have sent my officers this day, with orders to them to be ready when I should call for them out; and I ordered them to make short coats and hose, and to put aside their long coats, and to get as many swords and dirks as they could find. As to the article of arms, it is needless to talk of it, for my men have no arms, and I never will present them to king or general without arms. And your lordship may remember, that when you spoke to me of that article at Inverness, you said, at last, that I could not show my men without arms, and without sufficient orders from the government; to which opinion I told your lordship I would adhere.

“ And as to my zeal for the government, I can assure your lordship, that I have as much as any lord or laird in Scotland, except your lordship, whose constant, uncommon, and fiery zeal for this government, to my certain knowledge, is, and has always been without example. But I hope, my lord, since you have this day the same power over your old corporal, that you had in the year 1715, you will make my court to Sir John Cope. If I be able to step into my chariot, I will pay my duty to him at Inverness or Culloden, and will beg of your lordship to introduce me to him.

“ After writing the above, I had an express from Gortuleg. I think Tam More seems to be a little frightened. I will write a strong letter to him to-morrow, to be shown to my Stratherrick and Abertarf people. But my dear lord, I am in a very terrible situation; my country threatened to be destroyed, and they have

neither support nor arms to defend themselves; and they see all the clans about them save themselves by sending some men to the Highland camp, and they only left a sacrifice; but as it is you that has engaged me to make an appearance for the government at this time, (to which I had not an immediate call, having neither post nor employment from the government, and not having been well used, as your lordship knows,) I trust entirely to your true friendship and generosity, that you will in the first place, obtain arms for my people to defend themselves; and in the second place, that you will obtain for myself what encouragement your lordship thinks I deserve, or may deserve from the government. I can say, without vanity, that if I was so mad as to be on the other side, the Highlanders would have a much greater number than they have by this time, and might with such a desperate bold prince as they have at their head, become more troublesome to the government than they were in the year 1715.

"I refer all this to your lordship's generous consideration, and I beg that you may forgive any blunders that I may have writ in this letter, for the pain in my body and the troublesome situation of my country have almost turned my head, but whatever situation I am in, I shall always remain your lordship's most faithful slave and affectionate cousin,"* &c.

The day after receiving this letter, the twenty-eighth of August, the president was informed by express from Sir John Cope himself, that he had declined attempting the Corryarrak, and had taken the road for Inverness, which tidings he did not lose a moment in communicating to lord Lovat, adding, that Sir John now expected that the chiefs of the Highlands who were in the interest of the government would exert themselves, and, by the promptitude of their conduct, prevent among their neighbours any further manifestations of folly. The laird of Grant, he informed him, had already made liberal offers, which had been kindly accepted of; and he submitted it to him, whether for his own credit he ought not to arm and assemble his people of Stratherrick and the Aird, that they might be disposed of as should be most conducive to the public

* Culloden Papers, pp. 214, 215.

service. Arms, of the want of which Lovat complained so loudly, he assured him had been ordered from Edinburgh and London, and would be at Inverness by and by.*

Lovat, in the above letter, represents Gortuleg, Tam More, as he facetiously calls him, as appearing to be a little frightened, and though Gortuleg was at bottom as much as ever in the interest of Charles—to save appearances, and secure himself in case of inquiry, he now wrote to the president an account of his visit to Invergarry, in the following terms:—"My lord, I wrote to lord Lovat yesterday morning from this place, [Gortuleg] wherein I told his lordship that I had occasion to see Lochiel and some others of that army, Tuesday, when they lay near Fort Augustus, and gave a true account of their number, which still is not two thousand, and I recommended to lord Lovat to let your lordship know this, and what I then judged was their resolution.

"This morning I am informed that yesterday they set out early from Aberchaldar, and came before seven in the morning to a place called Lugganvane, four miles from Fort Augustus, and at the foot of Corryarrak, that then they were assured of Sir John Cope's marching by Ruthven to Inverness, that immediately they called a council of war, and the resolution taken was to pursue general Cope with all expedition, that their whole army was at Garvamore about twelve o'clock, and that they were resolved to march by night and by day until they came up with their enemy. I am assured that their young forward leader called for his Highland clothes, and that at tying the latches of his shoes, he solemnly declared that he would be up with Mr. Cope before they were unloosed. If this information holds true, they must certainly have a brush this day. The people are in top spirits, and make sure of victory in case they meet. Should that happen, I can assure your lordship that they will be troublesome neighbours for some time, for they know their situation, and they are desperate. I am plagued and fatigued by keeping some idle lightheaded people here in order, and, I do assure your lordship, that if the Highland army remained any time in our neighbourhood, that even

* Culloden Papers, p. 216.

the lord Lovat could not get some of them commanded. I have the honour to be, &c. P. S. The bearer is a very honest pretty fellow, in whom I have entire confidence.”* Though there are some parts of this statement evidently framed to serve the cause of Charles, and facilitate his march into the Low Country, particularly where he represents him as determined to pursue the king’s army, which it was neither his interest nor his intention at this time to do, yet there is throughout the whole an approximation to the truth, and he gives the number of the rebels, when he visited them on the twenty-seventh of August, in all probability as accurately as circumstances would admit. On that day, according to his statement, their numbers stood thus:—Lochiel, seven hundred; Clanronald, two hundred and fifty; the Stewarts of Appin, commanded by Ardsheil, two hundred and twenty; Keppoch, two hundred and sixty; Glengary’s men, including Knoidart, Glenco, and Glenmoriston, six hundred, making in all, two thousand and thirty.†

While the lord president was thus successfully employed in retarding the movements of many of the most powerful and determined Jacobites, Charles finding the way entirely open by the march of the king’s troops for Inverness, eagerly seized upon the opportunity of moving forward, well knowing that if success should attend him in the south, there would be no danger of his friends in the north becoming either fewer or less devoted to his cause. Having reached Garvamore on the twenty-eighth, he despatched one hundred men to apprehend Macpherson of Clunie at his own house. Clunie had accepted of a commission in lord Loudon’s regiment, had waited on Sir John Cope at Ruthven, who had sent him home to raise part of his people, with which he was to hasten to Sir John at Inverness, of all which the rebels had full information, and to prevent him from executing his purpose, carried him along with them, and he very soon became one of the most devoted and determined rebels. They sent another division of two hundred men to surprise the barrack and small

* Culloden Papers, pp. 116, 117.

† Several accounts make their numbers less formidable, and others, among whom is that of Mr. Home, make them more so; but we take the above to be, if not the truth, exceedingly near it.

garrison of Ruthven, but the garrison being prepared to receive them, they did not succeed.

On the twenty-ninth, Charles reached Dalwhinnie, where he was waited upon by a number of the gentlemen of the surrounding country with offers of duty and obedience. On the thirtieth he proceeded to the castle of Blair, where he remained some days, and was joined by lord Nairn and several others. On the morning of the third of September, lord Nairn and Lochiel, with a detachment of four hundred men, took possession of Dunkeld, where Charles arrived in the afternoon, and James was publicly proclaimed king, and the different manifestos read.* The same party set forward in the evening, and next morning took possession of Perth, where Charles, with the whole of his followers, arrived in the afternoon, and so low were his finances, that he was now reduced to his last guinea, which he showed to Kelly, one of his Irish counsellors, with the flippant remark, that he would soon get more. Here Charles remained till the eleventh, during which he had his father proclaimed king, and his manifestos read in Perth, and in several of the principal towns in the neighbouring counties of Angus and Fife, in all of which he levied the public money, and took up for his service what men, horses, arms, and ammunition he could obtain. At Dundee his partisans seized upon a ship supposed to have some gunpowder on board, which they carried up to Perth.

The bond of rebellion was here strengthened by the accession of the duke of Perth, who joined it with upwards of two hundred of his followers, by Robertson of Struan with one hundred, and by lord George Murray—whose native courage and intuitive military skill were worth an army—with nearly one thousand of the men of Athol. Macpherson of Clunie, who, though made a prisoner at Dalwhinnie, had hitherto refused to join, was here prevailed upon to follow the example of the duke of Perth and lord George Murray, and was sent back to bring up his retainers, who had already been put in motion to be marched to Inverness, to assist Sir John Cope or lord Loudon, but who, in consequence of this, had a destination

* Vide Note, pp. 133—136.

more suitable to their inclinations, and swelled the retinue of Charles in his march into England after the memorable battle of Gladsmair. Several of Charles' friends also, from Edinburgh and other places, who had been in anxiety lest he should have been cooped up in the natural fastnesses of the Highlands, where they knew that want of money and want of bread would soon reduce the number of his followers, met him here with small supplies of money, which, with what he was laying hold of as belonging to the public, enabled him to hold out, till, by making himself master of Edinburgh, his supplies became more ample.*

On the eleventh of September, having appointed lord George Murray and the duke of Perth lieutenant generals of his army, provided himself in whatever Perth could supply, and levied all the men, horses, and money, which he could command in the neighbourhood, Charles marched to Dunblane, which the duke of Perth had previously occupied, where he halted till the whole of his army came up, which they did on the evening of the twelfth, having been joined on the march by Macdonald of Glenco with sixty men, which, added to sixty that had previously joined, made his quota of the army one hundred and twenty. Macgregor of Glengyle also joined him at Conagan, near Dunblane, with two hundred and fifty-five of the clan Macgregor. On the thirteenth he crossed the Forth at the ford of Frew, five miles above Stirling, and was lodged for the night in Leckie house.

From Leckie house Charles sent the following message to the city of Glasgow:—"I need not inform you of my view in coming, that being already sufficiently known. All who truly love their country, and the true interest of Britain, ought to wish for my success, and do what they can to promote it. It would be a needless repetition to tell you that all the privileges of your town are included in my declaration, and what I have promised I never will depart from. I hope this is your way of thinking, and therefore expect your compliance with my demands. A sum not exceeding fifteen thousand sterling, besides

* Lockhart Papers, vol. ii. pp. 443, 444. Home's History of the Rebellion, pp. 54, 55, 99.

what is due to the government, and whatever arms can be found in the city, is all at present I require. The terms proposed are very reasonable, and what I promise to make good. I choose to make these demands, but if not complied with, shall take other measures, and you shall be answerable for the consequences." This was signed Charles P. R., and dated from Leckie house. From the confidence they had in the troops under Sir John Cope, the magistrates of Glasgow paid no regard to this summons; but it was not long before Mr. John Hay, writer to the signet, with a party of horse, accompanied by Glengyle, the chief of the Macgregors, arrived in the city with another of the same tenor, and they were glad to compromise the matter by giving five thousand sterling in money, and five hundred in goods.*

From Leckie house Charles moved on the morning of the fourteenth, directing his march to the eastward, apparently towards Edinburgh. Passing within a mile of the castle of Stirling, several shots were fired at him from the castle, but none of them took effect. This day the rebels reached the neighbourhood of Falkirk. Charles himself passed the night at Callender, the seat of the earl of Kilmarnock, his army sheltering themselves among the broom in the parks to the eastward of that house.† Colonel Gardener having with his dragoons retreated before them from Stirling to Falkirk, now moved on to Linlithgow, the bridge of which place he proposed to defend. Aware of this determination, one thousand Highlanders were detached by Charles, under the command of lord George Murray, on the morning of the fifteenth, with a design to surprise the colonel. The Highlanders reached Linlithgow before break of day, but the dragoons had gone off the preceding evening. Lord George Murray halted with his detachment at Linlithgow, till Charles and the remainder of the army came up, when the whole took the direct road for Edinburgh, which is only sixteen miles from Linlithgow. A messenger was despatched to Edinburgh to give notice of the approach of the

* Ray's History of the Rebellion, pp. 27, 28.

† Lockhart Papers, vol. ii. p. 445. Home says they were quartered in the town of Falkirk.

rebels, and he reported that they had got as far as Kirkliston, a village about eight miles from Edinburgh.

When the news of Charles having landed in the Highlands first reached Edinburgh, they do not appear to have made any very particular impression. Many no doubt wished them to be true, provided he was accompanied with an army sufficient to enforce his claims; but upon the whole, they certainly gained but little credit either with his friends or his enemies; and even when their truth became unquestionable, from the feeble retinue he had brought along with him, the unpromising circumstances with which he was surrounded, and the nature of the enterprise, which had more the appearance of romance than reality, they laid a foundation of slender hope to the one, and of no very serious alarm to the other. The inconsiderate march of the king's troops into the Highlands, however, soon gave them altogether a new, and, to the friends of order and good government, a fearful importance; and when on the evening of Saturday, the thirty-first of August, an express from Perthshire brought tidings to Edinburgh that Sir John Cope had felt his forces inadequate to force the Corryarrak, and had gone by Ruthven for Inverness, leaving the country entirely open to the Highlanders, who were already advanced as far as Blair in Athol, the extravagance of the hopes of the Jacobites could only be equalled by the extravagance of the fears of their opponents.

The spirit of the city of Edinburgh, with regard to the existing order of things, had long been doubtful, nor had recent circumstances tended greatly to improve it; but there was unquestionably among its many citizens a goodly number of men devoted to the interests of religion and liberty, and who, considering the present government as the best security for both, were willing to risk their lives and fortunes for its preservation. Unhappily, however, the city elections were just approaching, and there was a struggle for power going on, which absorbed the attention of individuals much more than in such circumstances was consistent with that duty which they owed to the community in general. The lord provost of the city happened unfortunately to be Archibald Stuart, Esq. a weak man,

whom the Jacobites found it easy to perplex, and his enemies out of his weakness drew materials for fixing upon him a charge of Jacobitism, which subjected him to a long and a rigorous prosecution, from which, though a jury of his countrymen pronounced him not guilty, his memory is perhaps not yet altogether cleared.*

* The following are the opinions of some of his contemporaries. The first is that of Colin MacLaurin, professor of mathematics in the college of Edinburgh, than whom no man was better qualified to give a judicious view of any subject:—

“ If you have curiosity to know my history these last three months, take it briefly as follows. As soon as the danger from the rebels seemed imminent, I left the country, and continued in town, endeavouring to promote the spirit that began to appear amongst the gentlemen, in hopes it would have been raised likewise amongst the burghers and trades. I was amongst the first volunteers, and signed for a dozen of the town’s regiment. The care of the walls was recommended to me, in which I laboured night and day, under infinite discouragements from superior powers. When I was promised hundreds of workmen, I could hardly get as many dozens; this was daily complained of, redress was promised; but till the last two days no redress was made, and then it was late. However the town was in a condition to have stood out two or three days against men unprovided with artillery, unskilful, and then ill armed: and there was a double expectation of relief, viz. from the Dutch and Sir John Cope. On the fatal Monday I was loading the cannon at the west port, and pressing the finishing of some works there, when, in a packed meeting (400 volunteers, mostly substantial burghers, being under arms elsewhere) it carried to capitulate. When I heard of this, I called for the Provost for orders what I should do with the cannon. The answer was, he had not time to speak to me. The case, (which) had been often put to the Provost, actually happened, for Cope was off Dunbar, and could have been up on the Wednesday. The Monday night, neither were the town’s arms carried to the castle, nor did the town stand on its defence till terms were granted; and therefore they had none, though by *****’s message it had been offered, that no Highlander should enter the town; but there was a plain collusion.”—Culloden Papers, p. 262.

The next is that of general Robert Wightman, who also was an actor in the farce, which, if his opinion of provost Stuart was correct, must have ended in a very horrid tragedy, had not circumstances prevented it.

“ My L. P.

“ I came to Edinburgh from Potosi on the 10th instant, after having sett my smelt miln a going, and put every thing in such order, under the direction of an active agent, as my affairs will go on successfully in my absence, without

There had been several consultations between the magistrates and some of the principal citizens with regard to the defence of the town, in the absence of any thing like regular troops, previously to the reception of the news of the two armies having passed each other; but now that the rebels were on the direct road for the metropolis, with nothing of a defensive kind interposed in their way, it became a question of immediate concern, and on Monday, the second of September, the council ordered the town guard to be augmented to the full number of one hundred and twenty-six men. In addition to the town guard, the magistrates of Edinburgh still retained in the trainbands the name and form of their ancient militia, which consisted of sixteen companies, from sixty to one hundred men in a company. The men were enrolled, and the officers appointed from the burghers of the town, according to ancient custom; but, except on the king's birthday, when they were furnished with arms for the service of the day from the city magazine, which contained about twelve hundred stand of arms, most of them without bayonets, the trained bands had not been called out since the Revolution. Many of the citizens, of course, doubted

any interruption. I found the honest people in the city very zealous, and G. D. and J. N. very active; but soon perceived the Provost was a dead weight upon them, acting in the little, subtil, sly way. I assisted Mr. MacLaurin in forming a plan for fencing the city, in some such manner as was done in 1715, which somewhat was done before I left the city on Monday the 16th at noon, but nothing to the purpose. I soon saw the Provost's plot; which was, to render all the efforts of the honest people of the town vain, by arming the train bands, and critically raising a tumult in the city, which would have issued in their utter ruin. I therefore apprised my friends of their danger, and put the enclosed paper into G. D.'s hands; the effect whereof was, that the volunteers laid down their arms about five hours after I left the city. The Provost having declined to consent to the admission of the dragoons, or even to invite 100 of them to assist in its defence, next morning, between 5 and 6 o'clock, the rebels entered, by a concerted surprise, whereof you have doubtless heard the particulars before this can come to your hand." —Culloden Papers, p. 224.

The third is George Dodington, who, writing to Mr. Oswald of Dunkier, says:—"As to the behaviour of Edinburgh, I am not quite satisfied with it; as to friend Archy, certainly he may be very blameless, but I find by all accounts he has very ill luck. Some make him earl of Leith, &c. What is the truth of the man's conduct?"—Memorials of James Oswald, Esq. of Dunnikier

the propriety of intrusting the defence of the city to a force so feeble, and, as the reports of the progress and strength of the rebels were every day becoming more alarming, about twenty gentlemen met on Monday, the second of September, and agreed to apply to the lord provost, "that he would give orders for putting the town into as good a state of defence as possible with all expedition." At this meeting it was complained of, "that an application, which had been made the week before to his lordship, had not met with due encouragement, but that the persons who waited on his lordship and their zeal had been ridiculed, and made the subject of insipid jokes. The company, however, resolved, that whatever discouragements they might meet with from those whose duty it was to have animated them, they should meet frequently, and promote, to the utmost of their power, whatever may tend to the defence of the town."* In the meantime they appointed two of their number, a gentleman who had lately been in the magistracy, and Mr. MacLaurin, to wait on the lord provost, "with a general instruction to beg he would see to the defence of the town, and to offer him their assistance." They were also instructed to request that he would order moulds to be made for bullets, "it having been found, on trial, that all in the shops had been bought up by cadies, or link boys, who had been sent for them;"—that the sluice of the North Loch, by which the water issues from it, should be shut and secured, that it might fill up; and that his lordship should make a distinction, when he came to intrust them with arms, betwixt the inhabitants of known good affection, and such as were suspected; taking, at the same time, proper measures that the city should not be in danger from within, as it had been in 1715.

To the two first of these requests, his lordship gave answers which satisfied the deputation, "but as to the third, he did not give the satisfaction desired." After a good deal of reasoning, however, he came so far as to say, that if the town came to be attacked, he would so far make a distinction as to intrust the town's arms with the most substantial burghers; but, he added, "that if a thousand men had a mind to get into the

* Trial of Archibald Stuart, Esq. &c. p. 35.

town, he did not see how he could hinder them. In answer to this, the number of trades lads in Edinburgh—of the gentlemen that would associate to save the town—the unskilfulness the Highlanders had always shown in attacking stone walls—their want of artillery, and being ill armed, with the assistance that in all probability would be got from the dragoons, was urged; and it was added, that something was requisite to save the reputation of the town, to divert the enemy from coming this way, and to raise the spirit of the country. To this he answered, that to pretend to do when we could do little, was to expose ourselves to ridicule, with other discouraging expressions, though in the end he said he would be glad of advice from sensible burghers, and have regard to it.”

Little farther passed till the fifth of the month, two days later, when the danger appearing still more imminent, the same company, with the addition of some other gentlemen, again met, and entered into an association, as volunteers, to serve for the defence of the city, at the hazard of their lives and fortunes, under the direction of the lord provost. This agreement was signed by all present, and by one hundred before twelve next day. They appointed some of their number to present the agreement to the lord provost, to request that they might be allowed to choose their own officers, and that he would apply to general Guest for arms to them. They were likewise instructed to entreat that the parapet of the town wall might be cleared, which in many places had been stopped up with stone and lime to prevent smuggling; that stairs for getting up to it might be erected, and that cannon should be got from the ships at Leith, to be placed on the flanks and gates.*

So generally prevalent was the spirit of resistance at this time, even among the least warlike part of the inhabitants, that, of this date, a representation to the lord provost, magistrates, and council, was signed by the principal and professor of divinity, and twelve more of the ministers of the city of Edinburgh, of whom, at that time, the total number was sixteen, so that three only were absent or wanting—setting forth, that having “seen and considered a petition to their lordship and

* Trial of Archibald Stuart, Esq. &c. pp. 36, 37.

honours, subscribed by a considerable number of the inhabitants of this city, well affected to his majesty's person and government, praying that the city may be put in a proper posture of defence against the common enemy, they, the ministers of Edinburgh, judged it their duty to testify their hearty approbation of such design, and their firm resolution to promote the same in their sphere and station, and thereby engage cheerfully with their fellow-citizens to contribute for defraying the necessary expense." And they were as good as their word, for, out of their moderate stipends, they joined in subscribing for the pay of one hundred men out of the thousand proposed to be raised.

Far from seconding this zeal on the part of the citizens, the lord provost found difficulties with regard to the legality of raising volunteers, and would by no means give way to it, till he had the written opinion of his majesty's advocate and solicitor, "That it was lawful for the magistrates to authorize the subscribers, and other well-affected inhabitants, to take up arms in defence of the city, and support of the government;" and, "That it was lawful, and not treasonable, for the magistrates to comply with the desire of the said petition of the volunteers."

At the same time that he was thus cold with regard to any thing like military array, or attempting any thing like a defence of the city, the lord provost now, and on all occasions afterward, declared that he would insist on the privileges of his office, and did not leave to the volunteers the nomination of their own officers, but he allowed them to make out a list of thirty or forty persons, from which he agreed to make a selection. He also, with some of the magistrates and volunteers, walked around part of the town wall, when he remarked, "that if two thousand men had a mind to get into the town, he could not see but they must succeed." After having examined part of the city wall, he requested professor MacLaurin one of the volunteers who accompanied him, to take the trouble of drawing out a plan of it, which the professor readily undertook to do.

To encourage others to join this association, and to rouse the lethargic spirit of the country, a spirited Article respecting it was drawn up by one of the members, to be inserted in the

newspapers, but, before inserting it, as a mark of dutiful respect, it was shown to the lord provost, who, as if he had been afraid to state himself in actual opposition to the rebels, when he came to the words, "this proposal was accepted by the lord provost," struck them out, substituting, "the lord provost acquiesced in this proposal," which was deeply regretted by all who were zealously engaged in the cause; being sensible that more than acquiescing was requisite in the magistrates, and foreseeing, as it happened, that the trades would not be warm when the magistrates were so cool. The volunteers, however, soon rose to four hundred; but the expenses of the works proposed for the defence of the city, were much talked and complained of, at this time and afterwards.*

Next day, September the seventh, the lord provost moved in council an humble address to his majesty, who had just arrived from Germany, which was unanimously agreed to as follows:—"Most gracious sovereign. We, your majesty's most dutiful and loyal subjects, the lord provost, magistrates, and town council of the city of Edinburgh, want words to express the satisfaction we felt upon receiving the news of your majesty's happy arrival to these your dominions, so long and ardently wished for by all your majesty's faithful and dutiful subjects, at a time when the enemies to your person and government were daring enough to take up arms, with a wicked intention, to deprive us of our religion, liberty, and laws; blessings we have so long possessed, derived down to us from the revolution, and happily enjoyed under your majesty's and royal father's auspicious reigns.

"This city has always distinguished herself by a firm and steady attachment to revolution and whig principles, and a hearty abhorrence of all popish and arbitrary governments. And in the year 1715, when a most unnatural rebellion was kindled up against your royal father, our zeal for his person and government was equalled by few—surpassed by none. Since that time we have opposed, as far as was in our power, every measure that might flatter the pretender's hopes.

"We beg leave at this time to assure your majesty, that we

* Trial of Archibald Stuart, Esq. &c. pp. 38, 39.

will stand by you and your royal family, with our lives and fortunes; employ every power we are possessed of, and all the means you shall put in our hands, to disappoint the views of France, and baffle the vain hopes of this rash adventurer, who has been audacious enough to attempt to darken and disturb the tranquillity of your majesty's happy government. Signed by order of the council; Archibald Stuart, provost.”*

After voting the above address, it was resolved, in council, to authorize the magistrates and convener to employ persons, with all possible speed, to put the city in a posture of defence, and particularly the walls thereof. The plan of the wall by professor MacLaurin, in which the weak places were pointed out, and the necessary remedies proposed, was made ready, and presented to the council at six o'clock the same day. An estimate of the expense was desired by the lord provost, but that could not be done without more time. It was proposed that the flanks should be first taken care of, as the time which the rebels might take to come to Edinburgh could not be exactly calculated; and, as inducements to proceed with despatch, it was remarked, that doing what they could was to be no barrier in the way of capitulating, if capitulation should at last become necessary; besides, there was a double chance for relief, from Sir John Cope, and at the same time from the Dutch, so that holding out but for a day or two might save the town.†

On Sunday the eighth, the workmen cleared a part of the parapet; but their number was very small for this day, and indeed for the whole week. Of this complaints were made every night, but to little or no purpose; sometimes there were only two dozen, when there ought to have been as many hundreds, for the rebels were now at Perth, little more than one good day's march from Edinburgh. After clearing the parapet, it was found too narrow in several places, and it was necessary to add to it by scaffolding; but, from the want of workmen, it was but in a few places that it was executed.

Monday, September the ninth, his majesty's sign manuel was produced in council, stating, “ That it had been represented to

* Scots Magazine for September, 1745.

† Trial of Archibald Stuart, Esq. p. 40.

his majesty, that the lord provost, magistrates, town council, burgesses, and others of the city of Edinburgh, from their great loyalty and affection to his person and government, were, at this juncture, willing and ready to raise and maintain at their own proper charge and expense, by voluntary subscription and contribution, one thousand foot for the defence of the said city, and the support of his government; and that they were desirous of obtaining his royal license and authority for the same. His majesty does grant the same accordingly; and does farther ordain and command, that the said one thousand men shall be under the direction of the lord provost, magistrates, and town council of Edinburgh."

This warrant having been read and considered by the magistrates and council, "they appointed as a committee, the present and old magistrates, convener, deacons Lauder and Porteous, or any five of them, the lord provost being always one, and in case of his absence, any nine of them to be a quorum, to consider what is most proper to be done upon this occasion for levying the said one thousand foot, and particularly to take in the subscriptions of such of the inhabitants as are willing to contribute for levying the said one thousand foot, with their proper officers to be named, for the purposes mentioned in the said sign manuel, for the space of three months after they shall be so enlisted; as also to consider what is proper to be done farther for the safety of the city, and for support of the government; which committee shall meet at the Goldsmiths' hall twice each day, at the hours of eleven in the forenoon, and four in the afternoon; all their proceedings to be engrossed in a book, and reported to the council from time to time.

"And the magistrates and council nominate and appoint the lord provost to be colonel and commander of the said one thousand foot, with power to his lordship to conduct and direct them and the other officers who shall be named to command under him, as the council shall think proper, or as the exigence of matters shall require."

So briskly did the filling up this thousand men go on, that the same day "a letter was delivered to the lord provost, signed by three old provosts, Drummond, MacAulay, and Osburn, and three old baillies, Nimmo, Blackwood, and Wilson, on be-

half of themselves and the other volunteers, praying his lordship to apply to the commander in chief for two hundred stand of arms, and that he would appoint a place where the volunteers might be instructed in the use of the firelock and bayonet."

On the tenth, a scheme of what was most necessary to be done was drawn up by a volunteer, professor MacLaurin, and shown to general Guest, and at the general's desire, to an old officer of the dragoons, by whom being approved, it was presented to the lord provost. It was particularly insisted on, that a high house, which stood so as to make a part of the wall near the Potter Row Port, should be possessed by a party, and a communication made from the wall to the house, to relieve or bring off the men as occasion might require; but this was not yielded till September sixteenth, after it had been approved of by captain Murray, and then, though it was begun, there was not time to finish it. Unhappily the election of their deacons so completely occupied the trades, "that few came to work on the wall; and, though complaints were repeatedly made, it never appeared that proper authority was employed to oblige them to work in this time of the greatest danger."

An order was also this day procured from general Guest, to David Lyon, storekeeper of the castle, to deliver to the order of the lord provost, upon receipt, two hundred muskets, bayonets, and cartouch boxes, and the like number of flints, with one barrel of powder, and an equal proportion of ball, to be distributed among the gentlemen volunteers. The baillies of Potter Row and Portsburgh, were also authorized to give receipts for sixty stand of arms, to be by them distributed among the inhabitants, on proper receipts.

The committee appointed by the council on the ninth, met for the first time on the eleventh, present the lord provost, when they gave their opinion concerning some things to be done for the reparation of the walls, that the same should be executed forthwith. Some cannon were this day procured from the ships; and, it having been recommended to the lord provost that some hand grenades should be got, and the city guard and volunteers taught to use them, a message demanding some was sent to the general, and by him to the castle; but it was answered, that they had not above two hundred, and

could not spare them. One of the volunteers, surprised that there should be so few in such a garrison, made a visit to the castle, and was told by the storekeeper that he had five times that number, and was desired to tell the lord provost that he had a hundred at his service. The lord provost was informed accordingly, but the grenades never appeared. Twenty were found in the town armoury, that had lien in a chest since 1715, but they were never examined. A ditch that had been ordered at Wallace' Tower, and carried on properly for some time, but afterwards by mistake or bad advice, perhaps by design, cast on the wrong side, was this day stopped, and a remedy proposed, which for want of time was not executed.

The committee appointed by the council met again on the twelfth, and after passing some further resolutions with regard to the fortifying the city walls, recommended to professor MacLaurin to go along with the tradesmen to explain his memorial, in relation to putting the wall at Leith Wynd in a better posture of defence, and, in consequence of the advice of the lord provost, recommended it to the city guard and the volunteers to learn the exercise of the hand grenades. They further resolved, that the council should invite those who have quantities of grain, at Leith or other places adjacent to the town, to bring the same into the city, to be lodged in the city granaries, where they shall be kept rent free, to preserve them from falling into the hands of the enemy.

The thirteenth was the day of electing the deacons of the different trades, and there was little or nothing done on the wall. Some houses in St. Mary's Wynd, that had large windows into the town, were shown to some magistrates, and afterwards to the provost, but no orders were given respecting them. The carriages of the cannon were examined, and the necessary reparations ordered.

On the fourteenth the lord provost reported in the committee that he had the same day signed an order for payment of one thousand pounds sterling to the receiver general, to account of cess due by the city, and it was resolved by the committee, that the cess books, and those by which the annuity and poor's money is collected, be taken from the several collectors' offices to the castle of Edinburgh for preservation. The provost

accordingly wrote a letter to general Preston, the governor of the castle, praying him to receive the said books, and keep them for the use of the city. On this, as on the preceding day, there was little work on the walls and scaffoldings, but the cannon were all proved, and the shot got ready. On the fifteenth captain Murray was brought into the town by the lord provost to give his advice, and ordered some additional works within the gates, which were begun immediately. More men were employed this day on the walls than on any former occasion, and every body seemed to exert themselves.*

The volunteers were now nine independent companies, but the lord provost had not named the field officers, and upon a motion being made that they should go out and assist colonel Gardiner, they unhappily divided in opinion, which afforded scope for some gasconading on the part of individuals, which though it did not materially affect the defence of the city, must, to the unbiassed observer, have made it pretty evident, that at bottom there was not any serious intention entertained, by those whose proper business it was, of defending it. The difference, indeed, of opinion among the volunteers does not seem to have been great, all of them being willing to defend the town, and some of them, from the state of the preparations for defence, judging it less hazardous to meet the rebels in fair fight in the open field; but unluckily the signal fixed upon for calling them to their posts was the ringing the fire bell, which could not be done without alarming the whole city, and they had just loaded their pieces for the first time, when the fire bell rung as the signal for them to repair to the Lawn Market, which they did in a body. The churches were all assembled at the time, and they were emptied in a moment. The terrified populace rushing into the streets, beheld the volunteers under arms, and were told that they were going out with the dragoons to fight the rebel army, which was said to be just at hand. The dragoons soon made their appearance; the volunteers huzzaed, and the dragoons, poltrons though they were, and the basest that ever dishonoured arms, clashed their swords against one another, and returned their huzzas with an appearance of heroism. An

* Trial of Archibald Stuart, Esq. &c. pp. 40—40.

unaccountable and almost universal consternation, however, seized upon people of every rank, age, sex, and party. The relations and friends of the volunteers crowded around them, using every effort to dissuade them from what their fears suggested was a desperate and a hopeless undertaking. The men reasoned and remonstrated, the women complained and wept, but neither the arguments of the one, nor the tears of the other, had any effect upon those who had agreed to the proposal of captain Drummond of going out with the dragoons to give battle to the rebels. No sooner had the dragoons passed, than captain Drummond, putting himself at the head of his company, marched them up the High Street, and down the Bow to the Grassmarket, attended by a prodigious crowd of people loudly lamenting their fate. Neither officer nor private man of any other company, however, followed them. A halt was ordered, and an inquiry made, which ended in a discovery, that, however much the privates had been in earnest, the officers, not excepting captain Drummond himself, had never intended any thing more than a mere flourish, whereby they might secure a little vulgar applause.*

This was all in very bad style, and gave no favourable presentiment of future success, but the preparations for defence were still continued. Most of the cannons were this day planted in situations where it was supposed they would prove most effective, and about six o'clock, professor MacLaurin, as a volunteer, with the chief of the bombardiers, came to the lord provost to have an order to load them. The provost kept these gentlemen waiting till eight, and at last desired another to sign the order for him. It was thus rather a late hour, but they began with cheerfulness, determination, and despatch, till they came to Bristo Port, where they were compelled to wait from half past ten till near one, for want of a sentinel to place upon the loaded gun, though they sent repeatedly messages for one both to the guard and council. Notwithstanding of this neglect, there were appointed to be upon duty through this night seven hundred men, consisting of four hundred trainbands,

* Trial of Archibald Stuart, Esq. p. 48. Scots Magazine for September 1745. Home's History of the Rebellion, pp. 56—61.

forty of the new regiment, one hundred volunteers, ninety seceders, forty Dalkeith volunteers, and thirty excise officers.*

During this busy Sabbath in Edinburgh, the rebels were lying very quietly on the banks of a small rivulet not more than a mile to the eastward of Linlithgow, where they remained till the evening, when they advanced and took post for the night on a rising ground nearly at the place where the twelfth mile stone from Edinburgh now stands. This was on their part the soundest policy. Their emissaries in Edinburgh were all diligent in the highest degree, and faction and fear were doing their work more effectually than even their presence, though it had been much more formidable than it really was, could have done.

On Monday, the sixteenth, they began their march towards Edinburgh, but with the greatest deliberation, giving rumour time to multiply their numbers, and fear to magnify the terrors of their approach. One of their trusty agents, Mr. Andrew Alves, writer to the signet, who had been on a visit to their camp, and no doubt carried them intelligence of all that was going on in the city, hastened before them with a message from Charles to the citizens, acquainting them that he was aware of the preparations they were making to oppose him, but if they kept their arms in their own possession, and allowed him to enter peaceably, they should be civilly dealt with, if not, they must lay their account with military execution. This impudent menace Mr. Alves had the confidence to deliver before the lord provost in a public coffee-house, early in the forenoon, who hastened to communicate it to his coadjutors, leaving Mr. Alves to spread it in the city at his pleasure.

Two hours had scarcely elapsed when the intentions of this traitor were formidably seconded by a petition from a number of the timid and the disaffected citizens, praying the lord provost to call a meeting of the inhabitants, that he might consult with them what was proper to be done. This petition, however much he might be disposed to do so, he could not, it was evident, under all the circumstances of the case, immediately grant. Of course it was refused, and the indefatigable Mr. Alves, after

* Trial of Archibald Stuart, &c. p. 49.

having run round his circle, and come at last with his precious intelligence to the lord advocate, was, by a warrant signed by the lord provost, committed to prison.*

In the meantime the works for the defence of the city were going on cheerfully; new intrenchments were thrown up, some gates shut, and more cannon placed on the bastions. At one o'clock, however, only five gunners were at their posts, but it was promised that more should be immediately procured.†

Amidst this bustle of preparation great dependance seems to have been placed upon the two regiments of dragoons, who, with the town guard and as many men of the Edinburgh regiment as were fit for service, took post on the preceding day at Corstorphine, where they proposed to make a stand against the rebels. At sunset, however, colonel Gardiner, leaving a party at Corstorphine, retreated with his dragoons to a field between Edinburgh and Leith, while the infantry returned into the city. General Foukes, having in the evening arrived from London, proceeded early this morning to take the command of the two regiments of dragoons, and march them to a field at the east end of the Coltbridge, two miles west from Edinburgh, where, in the forenoon, they were joined by the Edinburgh regiment and the town guard. As the rebels approached Corstorphine, perceiving the party of dragoons stationed there by colonel Gardiner, they sent forward a detachment to take a near view of them, and report their number. This detachment rode directly up to the dragoons and fired their pistols at them, when, without returning a shot, the dragoons wheeled about and fled, carrying their fears into the main body at Coltbridge, which set off immediately, and between three and four o'clock was, by the people of Edinburgh, seen in fair flight passing to the north of the city.

All hope of defending the city was now at an end. The streets were at once filled by clamorous crowds, crying out, that since the dragoons had fled, it was madness to think of resistance. Some of these terrified or designing people meeting the lord provost returning from the West Port, followed him

* Trial of Archibald Stuart, Esq. &c. pp. 114, 115. Second Trial of do. p. 114.

† Ibid. pp. 49, 50.

to the Parliament Square, beseeching him not to persist in defending the town, for if he did they should all be murdered. Feeble and indecisive at best, the situation of the lord provost at this crisis may be more easily conceived than described. He hastened into the Goldsmiths' hall, where the magistrates, town council, and a great number of the inhabitants were assembled. A deputation was sent to the lord justice clerk, the lord advocate, and the solicitor, to request their attendance and advice, but all these gentlemen had left the town. He applied himself next to the captains of the volunteers and the trainbands, but they were equally at a loss with himself, and he was in a short time found in the new church aisle, presiding in a meeting of the inhabitants, composed of for the most part nonjurors and other known abettors of the pretender, held for the express purpose of giving up the city, and where, though it was pretended to be a meeting for consultation, only one side of the question was allowed to be spoken to.

Not satisfied with having pushed on this meeting, and, by ringing the fire-bell, withdrawing to their several stations all the volunteers, so that their voices might not be heard, an emissary of Charles, sent, by a caddie or street runner, a letter to the lord provost, magistrates, and town council, which found its way most mysteriously into the meeting, and was handed to the lord provost, nobody seemed to know how. It was signed Charles, P. R., dated from our camp, this sixteenth day of September, and was as follows:—"Being now in a condition to make our way into the capital of his majesty's ancient kingdom of Scotland, we hereby summon you to receive us, as you are in duty bound to do, and in order to it we hereby require you, upon receipt of this, to summon the town council, and take proper measures in it for securing the peace and quiet of the city, which we are very desirous to protect. But if you suffer any of the usurper's troops to enter the town, or any of the cannon, arms, or ammunition now in it, whether belonging to the public or to private persons, to be carried off, we shall take it as a breach of your duty, and a heinous offence against the king and us, and shall resent it accordingly. We promise to preserve all the rights and liberties of the city, and the particular property of every one of his majesty's subjects. But if any

opposition be made to us, we cannot answer for the consequences, being firmly resolved at any rate to enter the city, and, in that case, if any of the inhabitants are found in arms against us, they must not expect to be treated as prisoners of war."

That the meeting was assembled for this letter, and the letter written for the meeting, will be doubted by few who will take the trouble to compare the circumstances of the one and the sentiments of the other. The contents were no doubt known to a number in the meeting, but its fabricators did not succeed in getting it read, the lord provost, after a great deal of debating whether it should be read or not, rising from his seat and returning to the Goldsmiths' hall, followed by most part of the council.*

During the progress of these disloyal and cowardly debates, the alarm being greatest at the West Port, the guns were there loaded, and the works pressed on, so that they were almost finished when an account came that a meeting in the new church had agreed to capitulate, and one of the volunteers called upon the provost to know what was to be done with the cannon, but was told that the provost had not time to speak to him. In the mean time another emissary of rebellion, whom, says Home, "nobody ever pretended to know," mounted upon a gray horse, came up from the Bow to the Lawn Market, and galloping along the front of the volunteers, called out that he had seen the Highland army, and that they were sixteen thousand strong, but nobody put any questions to him, and he was soon out of sight.

It was now evident to the most superficial observer that the town was lost, there being but little spirit among the people, and less talent among their leaders; and the volunteers after having been tantalized in the manner we have above stated, and having remained without orders for hours, fearing lest while all this farrago of preparing and deliberating was going through, the rebels might enter the city, and those arms which they had received for the purpose of defending the government fall into their hands and become the means of subverting it, marched up to the castle and delivered up their arms to gene-

* Trial of Archibald Stuart, Esq. &c. p. 56.

ral Guest. The trainbands were ordered afterwards to go to their homes, and to leave their arms in the places where they had been assembled, evidently in compliance with the pretender's letter, which had taken such hold of the provost's imagination, that he even refused to give any order respecting the cannon that had so laboriously and so reluctantly been placed on the walls, so that ultimately they fell into the hands of the rebels.

The lord provost, with the members of council, having returned to the council chamber, the letter signed Charles, P. R., which had occasioned so much debate, was read, and it was moved and agreed to, that an answer should be sent to it. Four members of council, baillie Hamilton, baillie Inglis, baillie Yets, and conveener Norie were accordingly despatched to request that hostilities might not be commenced till the citizens had deliberated and resolved what answer should be made to the letter.

Scarcely were the messengers gone when notice was brought to the lord provost and the others assembled with him in the council chamber, that Sir John Cope, with the troops under his command, was arrived off Dunbar. This produced a reacting of part of the farce that had already been enacted, a messenger was sent after the four deputies, to bring them back; general Guest was again applied to for arms, for dragoons, &c. But the fire-bell being the only way they could devise for bringing the volunteers again together, and as the four deputies had not been overtaken, and were now in the power of the rebels, who, it was suggested, in case of hearing the alarm bell, might possibly hang them, all thoughts of resistance were once more laid aside. About ten o'clock the deputies returned with the following answer:—"His royal highness the prince regent thinks his manifesto, and the king his father's declaration already published, a sufficient capitulation for all his majesty's subjects to accept of with joy. His present demands are, to be received into the city as the son and representative of the king his father, and to be obeyed as such while there. His royal highness supposes that since the receipt of his letter to the provost, no arms nor ammunition have been suffered to be carried off or concealed, and will expect a particular account of all things of that nature.

Lastly, he expects a positive answer before two o'clock in the morning, otherwise he will think himself obliged to take measures conform. At Gray's Mill, 16th September, 1745, by his highness' command, (signed,) J. Murray."

When this letter was read the provost said there was one condition in it which he would rather die than submit to, which was the receiving the son of the pretender as prince regent, for he was bound by oath to another master. After long deliberation, they agreed to send another deputation to beg a suspension of hostilities till nine o'clock in the morning, that the magistrates might have it in their power to consult the inhabitants, most of whom were now gone to bed, and to require an explanation of what was meant by receiving Charles as prince regent.

At two o'clock in the morning this second deputation set out in a hackney coach for Gray's Mill, where, when they arrived, they prevailed upon lord George Murray to second their application for a delay of further procedure till the citizens should be consulted. This Charles positively refused, and they were commanded in his name to get them gone. To their query respecting the regency, however, they received the following answer in writing:—"His royal highness has already given all the assurances he can, that he intends to exact nothing of the city in general, nor of any in particular, but what his character of regent entitles him to. This he repeats, and renews his summons to the magistrates to receive him as such."

With the above answer the deputies, early in the morning, returned in the same coach by which they were carried out, which entered the city by the West Port, and set down the deputies at Mrs. Clarke's tavern, where the lord provost and others of the council were waiting to receive their report, after which it proceeded towards the Canongate and went out by the Nether Bow Port. The coach was stopped by the city guard, and an order from provost Stuart required before the gate should be opened. The coachman said he had no order from provost Stuart, but that provost Coutts had ordered him to be let out. This order the guard refused to obey, when James Gillespie, an under keeper of the Port, said he had an order to let out that coach, though he did not say from whom. The

Port was opened of course to let out the coach—Lochiel with his eight hundred Camerons was in waiting, and instantly rushed in, secured the guard, and took possession of the city, which put an end to this long and painful series of hesitating councils and doubtful deliberations.*

That the rebels should have been let in by the letting out of the coach which carried in the city deputies, has a very strange and a very suspicious appearance; yet it does not appear that suspicion has attached to any of the deputies. The probability is, that the rebels had most certain information of every thing that was transacted in the city, and the coach, by previous concert, might be taken out at the Nether Bow for the very purpose of admitting Lochiel, who must have begun to march immediately on its departure, from Gray's Mill, if not before it; and lord George Murray's whisper to Mr. Coutts, one of the deputies on the second embassy, "I know your pinch, you want to have the consent of your principal inhabitants. Make haste to town, you'll have an hour or two to obtain it," was undoubtedly intended to forward some such project, by courting their confidence, and lulling their vigilance asleep. Be this as it will, the rebels obtained possession of the GOOD TOWN with all the facility of a simple change of sentinels, and the inhabitants in the morning, as if awakening from a dream, found they were under the governance of the Highlanders.†

Having thus, not much to the credit of the metropolis of Scotland, possessed themselves of it without firing a shot, the main body of the rebels, to avoid the cannon of the castle, which, fortunately, was under better management than the city, took a circuitous course to the south, and marching by Duddingstone, halted in the hollow between Salisbury Crags, and Arthur's Seat. And Charles, vain of his person, and confident in the powers of legitimacy and hereditary right, hastened down to what is called the Duke's Walk, to show himself to the people. "He was," says Home, who

* Second Trial of Archibald Stuart, Esq. pp. 149—152.

† Above we have stated probabilities. Our own opinion is, though circumstances have not enabled, or rather have prevented us from bringing forward statements to justify it, that the rebels entered the city by collusion, and that it was betrayed by its magistracy.

was a spectator on that melancholy occasion, "in the prime of youth, tall, and handsome, of a fair complexion. He had a light coloured perriwig, with his own hair combed over the front. He wore the Highland dress; that is, a tartan short coat, without the plaid, a blue bonnet on his head, and on his breast the star of St. Andrew." Having exhibited himself for some time in this manner on foot, to render himself more conspicuous, and to show how well he rode, though he was very near the palace, he mounted his horse and rode slowly into it.

That the Jacobites were charmed with his appearance, and that they conceived he resembled Robert the Bruce, in his figure as well as in his fortune, according to the above quoted author, we can believe, because when their darling legitimacy was concerned, they could believe any thing; but we give him still more credit when he says, "The whigs looked upon him with other eyes. They acknowledged that he was a goodly person; but they observed, that even in that triumphant hour when he was about to enter the palace of his fathers, the air of his countenance was languid and melancholy—that he looked like a gentleman and a man of fashion, but not like a hero or a conqueror. Hence they formed their conclusions, that the enterprise was above the pitch of his mind, and that his heart was not great enough for the sphere in which he moved."*

Charles, when he arrived at the palace, walked along the piazza towards the apartments of the duke of Hamilton. As he approached the door which stood open to receive him, a gentleman stepped from the crowd, drew his sword, and with the air of an old soldier, walked up stairs before him. This was James Hepburn of Keith, a man learned and intelligent, but bewildered by a visionary idea of Scottish independence, which led him, though he laughed at legitimacy and indefeasible right, and condemned the tyrannical government of James VII. to adopt the cause of his misguided and unfortunate family. He had been engaged in the rebellion of the year 1715, and had ever since kept himself in readiness to take arms for the same cause, and was the first person who joined Charles at Edinburgh. He was particularly averse to the Union, which

* Home's History of the Rebellion, p. 72.

he regarded as injurious and humiliating to his country, having, as he said, "made a Scotch gentleman of small fortune nobody, and he would die a thousand times rather than submit to it."

The Highlanders on entering the city, having secured the heralds and pursuivants, about mid-day surrounded the cross, and obliged them to proclaim king James VIII. with all the usual formalities—to read the commission of regency and the declaration, dated at Rome in December 1743, with a manifesto in the name of Charles, prince regent, dated at Paris, the sixteenth of May, 1745;* a great concourse of people witnessed

* For the two former of these papers, see page 133 of this volume—the latter is as follows:—

"By virtue and authority of the above commission of regency, granted unto us by the king our royal father, we are now come to execute his majesty's will and pleasure, by setting up his royal standard, and asserting his undoubted right to the throne of his ancestors.

"We do, therefore, in his majesty's name, and pursuant to the tenor of his several declarations, hereby grant a free, full, and general pardon, for all treasons, rebellions, and offences whatsoever, committed at any time before the publication hereof, against our royal grandfather, his present majesty, and ourselves. To the benefit of this pardon, we shall deem justly entitled all such of his majesty's subjects as shall testify their willingness to accept of it, either by joining our forces with all convenient diligence; by setting up his royal standard in other places; by repairing for our service to any place where it shall be so set up; or, at least, by openly renouncing all pretended allegiance to the usurper, and all obedience to his orders, or to those of any person or persons commissioned or employed, or acting avowedly for him.

"As for those who shall appear more signally zealous for the recovery of his majesty's just rights, and the prosperity of their country, we shall take effectual care to have them rewarded according to their respective degrees and merits. And we particularly promise as aforesaid, a full, free, and general pardon to all officers, soldiers, and sailors, now engaged in the service of the usurper, provided that, upon the publication hereof, and before they engage in any fight or battle against his majesty's forces, they quit the said unjust and unwarrantable service, and return to their duty, since they cannot but be sensible, that no engagements entered into with a foreign usurper, can dispense with the allegiance they owe to their natural sovereign. And as a further encouragement to them to comply with their duty, and our commands, we promise to every such officer the same, or a higher post in our service, than that which at present he enjoys, with full payment of whatever arrears may be due to him, at the time of his declaring for us; and to every soldier, trooper, and dragoon, who shall join us, as well as to every seaman and mariner of the fleet, who shall declare for, and serve us, all their arrears, and

this ceremony, and there were not wanting any of the usual demonstrations of tumultuary joy. Among people of condition, however, the shouts of acclamation were confined principally to the ladies; few gentlemen were to be seen in the streets, or

a whole year's pay, to be given to each of them as a gratuity, as soon as ever the kingdoms shall be in a state of tranquillity.

" We do hereby further promise and declare, in his majesty's name, and by virtue of the above said commissions, that as soon as ever that happy state is obtained, he will, by and with the advice of a free parliament, wherein no corruption, nor undue influence whatsoever shall be used to bias the votes of the electors or the elected, settle, confirm, and secure all the rights, ecclesiastical and civil, of each of his respective kingdoms; his majesty being fully resolved to maintain the church of England, as by law established, and likewise the Protestant churches of Scotland and Ireland, conformable to the laws of each respective kingdom; together with a toleration to all Protestant dissenters, he being utterly averse to all persecution and oppression whatsoever, particularly on account of conscience and religion. And we ourselves being perfectly convinced of the reasonableness and equity of the same principles, do, in consequence hereof, further promise and declare, that all his majesty's subjects shall be by him and us maintained in the full enjoyment and possession of all their rights, privileges and immunities, and especially of all churches, universities, colleges and schools, conformable to the laws of the land; which shall ever be the unalterable rule of his majesty's government, and our own actions.

" And that this our undertaking may be accompanied with as little present inconvenience as possible to the king's subjects, we do hereby authorize and require all civil officers and magistrates now in place and office, to continue, till further orders, to execute their respective employments, in our name, and by our authority, as far as may be requisite for the maintenance of common justice, order and quiet; willing and requiring them, at the same time, to give strict obedience to such orders and directions as may from time to time be issued out by us, or those who shall be vested with any share of our authority and power.

" We also command and require all officers of the revenue, customs and excise, all tax-gatherers of what denomination soever, and all others who may have any part of the publick money in their hands, to deliver immediately to some principal commander authorized by us, and take his receipt for the same, which shall be to them a sufficient discharge; and in case of refusal, we authorize all such our commanders, to exact the same for our use, and to be accountable for it to us, or to our officers for that purpose appointed.

" And having thus sincerely, and in the presence of Almighty God, declared the true sentiments and intentions of the king our royal father, as well as our own, in this expedition, we do hereby require and command all his loving subjects to be assisting to us, in the recovery of his just rights, and of their own liberties! and that all such, from the ages of sixteen to sixty, do forth-

even at the windows, and even among the common people many showed their dislike by a sullen silence.*

At the same time that Charles was gratified with this introduction to royalty, his followers were preparing to support it by seizing the cannon, arms, and ammunition belonging to the city, which, through the imbecility of the magistracy, fell into their hands an easy prey. The day following, being Wednesday the eighteenth, they issued a proclamation requiring all persons in the shire of Edinburgh, forthwith to deliver up, at the palace of Holyrood, all the arms and ammunition they had in their custody, on pain of being treated as rebels, and on Thursday the nineteenth, they sent a message in writing to the city of Edinburgh, requiring, on pain of military execution, that one thousand tents, two thousand targets, six thousand pairs of shoes, and a proportional number of water cantines, should be furnished to their army against the twenty-third, and promising payment as soon as the present troubles should be over. All these things were accordingly furnished, and to defray the expense a tax laid upon the inhabitants of two shillings and sixpence in the pound of real rent, within the city, Canongate, and Leith.

with repair to his majesty's royal standard, or join themselves to such as shall first appear in their respective shires for his service, and also to seize the horses and arms of all suspected persons, and all ammunition, forage and whatever else may be necessary for the use of our forces.

"Lastly, we do hereby require all mayors, sheriffs, and other magistrates, of what denomination soever, their respective deputies, and all others to whom it may belong, to publish this our declaration at the market crosses of their respective cities, towns, and boroughs, and there to proclaim his majesty, under the penalty of being proceeded against according to law, for the neglect of so necessary and important a duty; for as we have hereby graciously and sincerely offered a free and general pardon for all that is past, so, we at the same time seriously warn all his majesty's subjects, that we shall leave to the rigour of the law, all those who shall from henceforth oppose us, or wilfully and deliberately do and concur in any act or acts civil or military, to the let or detriment of us, our cause or title, or to the destruction, prejudice, or annoyance of those who shall, according to their duty, and our intentions thus publicly signified, declare and act for us.

" Given at Paris, the 16th May, 1746.

" C. P. R."

* Howe's History of the Rebellion, p. 73

Whilst the metropolis of Scotland was thus subjected to the sway of an usurper, Sir John Cope, whose erratic expedition to the Highlands had unwittingly made way for so many evils, was doing all that he could to remedy the mistake he had made. Having reached Inverness, where he was joined by two hundred Munroes, he made every disposition for marching back to the metropolis without a moment's loss of time. To facilitate his progress, he sent a special messenger to Leith to order transports round to Aberdeen, which place he reached on the eleventh of September, and finding the transports in waiting, embarked immediately, and arrived, as we have had occasion already to state, at Dunbar, on the evening of the sixteenth. The troops were landed on the seventeenth, on which day he was joined by Hamilton's and Gardiner's dragoons, who, after making good their retreat from the Colt Bridge on the sixteenth, were encamped on a field between Preston Grange and Dauphinston, where one of them, seeking forage for his horse after dark, fell into an old coal pit, where he made such a noise, that his companions imagined the whole Highland host was upon them, and mounting their horses, fled to Dunbar in the utmost trepidation. Colonel Gardiner, who had gone to bed in his own house hard by, "knew nothing of the matter till next morning, when he rose, and followed his men," says Home, "with a heavy heart, for the road to Dunbar was strewed with swords, pistols, and firelocks, which were gathered together, and carried in covered carts to Dunbar, so that the flight of the two regiments was very little known in the army."*

The eighteenth was partly employed in disembarking the artillery and stores, and in making other necessary preparations for marching to the attack of the rebels, of whose number, equipments, and general appearance, the commander in chief received a most circumstantial account from a volunteer, who had the day before personally examined them at all their posts, and passed leisurely through their main body.† He was also joined by the

* Home's History of the Rebellion, pp. 73, 74.

† This volunteer was probably no other than the celebrated Mr. John Home, and we have the following strikingly graphic account of the Highland army from his own pen:—

"That day a volunteer from Edinburgh was introduced to Sir John Cope,

earl of Home, who, being an officer in the guards, thought it his duty to offer his service when his majesty's forces were in the field, and it did not fail to excite unfavourable remarks on the state of the country, that this noble lord, whose ancestors could in a few days, perhaps a few hours, have raised a body of men before whom this army, which had obtained possession of the metropolis of Scotland, and was prepared to fight the collected military force of that kingdom, would have fled in the utmost dismay;

who told the general that he had remained in Edinburgh after the rebels took possession of the town, not only from curiosity to see the Highland army and their leader, but to make himself sure what was the number of the rebels, which, during their march to Edinburgh, nobody seemed to know; that he had gone to the different posts which they occupied in the town, and reckoned them pretty exactly; that he had gone up to the hollow between the hills, where the main body of their army lay; that when he came there, fortune favoured his design, for a great quantity of provisions, which had been ordered from the town, was brought to the Highlanders just as he arrived amongst them, and they were sitting in ranks upon the ground extremely intent on their food; that in this situation he found no difficulty in counting them man by man, and was persuaded that the whole number of Highlanders whom he saw, within and without the town, did not amount to two thousand men; but he was told that several bodies of men from the north were on their way, and expected very soon to join them at Edinburgh.

"The general asked, what sort of appearance they made, and how they were armed? The volunteer answered, that most of them seemed to be strong, active, and hardy men; that many of them were of a very ordinary size, and if clothed like Low countrymen, would in his opinion appear inferior to the king's troops; but the Highland garb favoured them much, as it showed their naked limbs, which were strong and muscular; that their stern countenances, and bushy uncombed hair, gave them a fierce, barbarous, and imposing aspect. As to their arms, he said that they had no cannon nor artillery of any sort, but one small iron gun, which he had seen without a carriage lying upon a cart drawn by a little Highland horse; that about fourteen or fifteen hundred of them were armed with firelocks and broadswords; that their firelocks were not similar nor uniform, but of all sorts and sizes—muskets, fusees, and fowling pieces; that some of the rest had firelocks without swords, and some of them swords without firelocks; that many of their swords were not Highland broadswords, but French; that a company or two (about one hundred men) had each of them in his hand the shaft of a pitchfork, with the blade of a scythe fastened to it, somewhat like the weapon called the Lochaber axe, which the town guard soldiers carry; but all of them, he added, would be soon provided with firelocks, as the arms belonging to the Trained Bands of Edinburgh had fallen into their hands."—Home's History of the Rebellion, pp. 74, 75.

was now attended in the camp only by two servants. Several of the judges and men of law came also to the camp, "not as fighting men, but as anxious and interested spectators of the approaching action."

On the nineteenth Sir John Cope left Dunbar, and proceeded towards Edinburgh; and though his army was small, the march was grand and imposing,—the cavalry, the infantry, the cannon, with a long train of baggage carts, extended along the road for several miles. The people of the country flocked from all quarters, to gaze upon a spectacle so novel as an army going to fight a battle in East Lothian, the issue of which they could not contemplate without deep concern.

In the evening the army encamped in a field to the west of Haddington, and sixteen young men who followed the camp were employed to ride between Haddington and Duddingston during the night, lest the Highlanders, by the celerity of their movements, might surprise the army. About nine o'clock eight of them set out, two and two, by four different roads that led to Duddingston, and, returning at midnight, made a report to the officer who commanded the piquet: the other eight set out at midnight, and rode till break of day between the two armies.* Next day the army moved again, directing its march towards Edinburgh by the post road till it came near Huntington, and turning off there, to avoid several defiles and enclosures that lay upon the post road, took the low road by St. Germain's and Seton. During the march, the officers assured the numerous spectators who attended them that there would be no battle, as the Highlanders would not wait the attack of an army so complete, as they supposed their own now to be. How they came to form such an opinion, so contrary to all former experience,

* These young men had all belonged to the Edinburgh volunteers, and of the last division, two, approaching too near Duddingston, were made prisoners by the rebels, who threatened to hang them for spies. When the rebels marched to meet Sir John Cope, they carried them along to be placed, as they said, in the front of the army, and exposed to the fire of their friends: when the armies came in sight of each other, the Highlanders marched them backwards and forwards for some time, and at last allowed them to slip away, and they joined their friends the afternoon before the battle. They were Francis Garden, afterwards Lord Gardenstone, and Robert Cunningham, afterwards general Cunningham.—Home's History of the Rebellion, pp. 76, 81.

and to circumstances of the most recent date, it is not easy to conceive. True it is, however, that they had formed it, and every man who ventured to express himself otherwise was regarded as an enemy, or at best but a lukewarm friend.

As the communication with Dunbar and Edinburgh was perfectly free, the rebels had the most accurate information of every movement made by the king's army, and their measures were taken accordingly. On the evening of Thursday the nineteenth, Charles came to his camp at Duddingston, where, in a council of war, he proposed to march next morning, and meet the royal army half way, which was considered by the chiefs to be the best plan they could adopt. They accordingly next morning marched from Duddingston in a column of three men deep, which was their uniform method of marching, though they were sometimes in two columns. Crossing the Esk at Musselburgh, they proceeded along the post road till they came to Edge Bucklin Brae, when they left the post road, and, by the west side of Wallyford, advanced a considerable way up Fawside Hill, when turning to the left, they bent their course towards Tranent, and coming again into the post road to the west of that town, continued their march till they came in sight of the king's army, which gave a vehement shout as they came in view. This shout the Highlanders returned, and marching on till the head of the column was near Tranent, they halted, faced to the left, and formed the line of battle about half a mile from the king's army.

Sir John Cope having certain information from lord Loudon, who had been sent on before to reconnoitre the ground, that the rebels were in full march to meet him, pitched upon the plain between Seton and Preston, which lay before him, as the most proper place to receive them. He accordingly continued his march till he came to the place since known by the name of the Battle Field, where he formed his army fronting the west, the quarter from which the rebels were expected. Having made a circuit in their march, however, they came in sight from the south, to which the front of his army was instantly turned. On his right was the village of Preston, with the east wall of Mr. Erskine of Grange's property, which, extending a considerable way from south to north, had a high road at each end of

it. On his left lay the village of Seton; in his rear the village of Cockenzie, and the sea; in his front the rebels, and the town of Tranent. Between the two armies was a morass full of springs, which forming a run of water, went down in a ditch to Seton, and ended in a mill-dam. Some parts of this morass had been partially drained, and in these places there were several small enclosures, with hedges, dry stone dykes, and willow trees. In the front, but a few paces from that of the king's army, there was a ditch, with a thick and strong hedge. "The position," says the chevalier de Johnstone, who fought in the pretender's army, "was chosen with a great deal of skill. The more we examined it, the more we were convinced of the impossibility of attacking it, and we were all thrown into consternation, and quite at a loss what course to take. We spent the afternoon in reconnoitring his position, and the more we examined it, the more our uneasiness and chagrin increased, as we saw no possibility of attacking it without exposing ourselves to be cut to pieces."

The two armies, by the abovementioned piece of boggy, and, as Sir John Cope as well as the rebels believed, impassable ground, were separated at the distance of half a mile. Numbers were on the side of the rebels, who, by the addition of one hundred and fifty MacLauchlans, and two hundred of the men of Athol, the day after they got possession of Edinburgh, were at least two thousand four hundred men; * that of Sir John Cope did not exceed two thousand one hundred. Lord George Murray, who had the sole command of the rebels, examined several people of the neighbourhood upon the nature of the ground between the two armies, to learn whether or not the Highlanders could make their way through it to close with the king's troops, who all answering him in the negative, he sent down Ker of Gradon to survey it, who, after the most deliberate examination, reported that it was impossible to get through the morass, and attack the king's troops in front, without receiving several fires. After receiving this information, Charles, with a great part of his army moved towards Dauphinston on their left, till they

* M. Patullo, who was muster master of the rebel army, stated their number, in a letter to Mr. Home, to be two thousand five hundred.

came opposite Preston Tower, apparently meditating an attack from that quarter. General Cope observing this movement, resumed his first position, and formed his army with its front to Preston, and its right to the sea. By and by the Highlanders returned to their former ground, and the king's army to its former position.

"The afternoon was spent in various movements," says Home, "Sir John Cope always endeavouring to preserve the advantages of his situation. But when evening came, and night approached, his situation did not seem so advantageous as he imagined. It appeared too plainly that his troops were shut up, and confined to a place from which it was not thought safe for them to go very far, whilst the rebels were at liberty to move about as they pleased, and were actually in continual motion, hovering about the king's army to find an opportunity and rush in upon them; the night was at hand, dark and cold, for although the weather was fine and remarkably warm in the daytime, the nights were cold and frosty, as they usually are in Scotland at that season, for it was the twentieth day of September, old style."

"Then, and not till then, some people began to fear that the army which stood upon the defensive, and was to pass the night under arms, would be attacked in the morning with advantage by an enemy, who, secure from attack, and sheltered from the cold by their plaids, might lie down, take their rest, and rise fresh and vigorous for the fight."* It appears to have been the fault of Sir John Cope's disposition, that it was calculated for defence rather than attack. His enemies, however, were no great tacticians, and were too impetuous to adopt a system of blockade, whatever might have been its advantages. Of this Sir John seems to have been perfectly aware, and expecting an attack during the night, kept his army in readiness to receive them. "He advanced picquets and outguards of horse and foot along the side of the morass, nearly as far east as the village of Seton. He ordered fires to be kindled in the front of his army, and sent down the baggage and military chest to Cockenzie, guarded by forty men, and all the High-

* Home's History of the Rebellion, pp. 84, 82.

landers of his army, who were only two companies of newly raised men belonging to lord Loudon's regiment, and the two additional companies of lord John Murray's regiment, that had marched with Sir John Cope from Stirling to Inverness, and by desertions were reduced to fifteen men a company.

“ The line of battle formed along the side of the morass, consisted of five companies of Lee's regiment on the right, of Murray's regiment on the left, of eight companies of Lascelle's, and two of Guise's regiments in the centre. On the right of the line of foot, were two squadrons of colonel Gardiner's regiment of dragoons, and on the left, two squadrons of general Hamilton's, having the third squadron of each regiment placed in the rear of the other two squadrons, without any infantry; the cannon were placed on the left of the army, near the waggon road from Tranent to Cockenzie, guarded by a company of Lee's regiment, commanded by captain Cochrane, under the orders of lieutenant colonel Whiteford.”* Such, according to Home, was the disposition of the royal army during the night previous to the battle, and it does not differ materially from other accounts that had been previously published. With the exception of the fires kindled in front of his army, which could be of no great service to his own troops, except it was to render the darkness of the night more appalling, and show distinctly how they lay to his enemies, the dispositions of the general were probably as judiciously made as circumstances would permit. Unfortunately he thought of nothing but straight forward fighting, and could he but once come in contact with his antagonists, made sure of an easy victory. He appears, indeed, to have despised every thing in the shape of an army, if it was not composed of regular troops, for he refused the aid of the seceders, and other companies of volunteers from Edinburgh, and the neighbouring country, lest they should disorder by their irregularity of movement that of his own men, of whose firmness and conduct he does not appear to have entertained the smallest suspicion.

But there was a circumstance still more against him, of which both armies were at first unaware—the marsh which had been considered an impassable barrier between them, was at a par-

* Home's History of the Rebellion, p. 82.

ticular place perfectly passable, and this place was well known to a notorious rebel then with Charles, Robert Anderson, of Whitborough in east Lothian, who had often passed it in his hunting excursions, and, at the instigation of Hepburn of Keith, pointed it out to lord George Murray, after a plan of attack had been agreed upon, and the Highlanders laid down in their plaids to sleep. Lord George Murray saw at once the importance of the information, and instantly communicated it to Charles, who had fallen asleep not far from him upon a sheaf of pease. Charles, highly gratified with the intelligence, ordered Lochiel and the other chiefs to be called, who unanimously adopted the plan of attack proposed by Anderson. Orders were immediately sent to lord Nairn, who, with five hundred men, had been detached towards Preston, to prevent the king's troops from taking the road to Edinburgh, to draw off his men and join the main body, which he did accordingly, and long before break of day the Highlanders were in motion. Anderson, with the major of Clanronald's regiment, and forty men, led the way, followed by the whole army marching in column as before, three men abreast. Without uttering so much as a whisper, they came down by a hollow that winds through the farm of Ringan Head, concealed at first by the darkness of the night, and latterly by a thick frosty haze. When near the place where Anderson was to lead them through the marsh, they were observed by a piquet of Cope's dragoons, who called out, "Who's there?" The Highlanders made no answer, but marched on—the dragoons rode off to give the alarm, and they passed without opposition, the head of the column marching north towards the sea, till it was thought the rear thereof had reached the proper ground, when they formed the line at once by facing to the left. This line consisted of six regiments. That of Clanronald had the right; on their left stood the regiments of Glengarry and Keppoch. In the centre of the line stood a regiment, composed of the duke of Perth's men and the Macgregors, armed with scythes, sharpened and fixed upon poles from seven to eight feet long; on their left were the Stuarts of Appin, and on the left of all, Lochiel and his Camerons. Behind the first line, a second was formed as a body of reserve, under the command of lord Nairn, consisting of the men of

Athol, two hundred and fifty, the Robertsons of Struan, one hundred, the Macdonalds of Glenco, one hundred and twenty, and the MacIschline, one hundred and fifty. This line was never engaged, and on the head of it Charles took his station.* In this manner, notwithstanding the precaution of fires, piquets, and patroles, was the Highland army formed within two hundred paces of the king's forces, and in the dawn of the morning, emerging from the thick fog, was mistaken by the general for the bushes that skirted his position. He, however, informed by his patrole of dragoons that it was the enemy, lost not a moment in wheeling round his front from the south to the east, whence the rebels were approaching. By this movement the position of every individual corps in the line remained the same, only the artillery which had been before on the left, was now on the right, and a little more in advance of the line, and the outguards of the foot, not having time to find out the regiments to which they belonged, formed themselves on the right of Lee's five companies, leaving space only for two squadrons of dragoons, so that colonel Gardiner's squadron was drawn up behind the squadron commanded by lieutenant colonel Whitney, which was directly behind the artillery. But whatever inconveniences were felt from this change of position, there was not time left to remedy them, for the Highlanders improving the advantage they had gained, were rapidly advancing, and, seen dim through the morning haze, appeared to their surprised antagonists an immense host, and from their dark coloured

* "When our first line had passed the marsh, lord George despatched me to the second line, which the prince conducted in person, to see that it passed without noise or confusion. Having examined the line, and seen that every thing was as it should be, in returning to lord George, I found the prince at the head of the column, accompanied by lord Nairn, just as he was beginning to enter the marsh, and I passed it the second time along with him. We were not yet out of the marsh, when the enemy seeing our first line in order of battle, fired an alarm gun. At the end of the marsh there was a deep ditch, three or four foot broad, which it was necessary to leap over, and the prince in making this leap fell upon his knees on the other side; I laid hold of his arm, and immediately raised him up. On examining his countenance, it seemed to me, from the alarm expressed in it, that he considered this accident as a bad omen."—Memoirs of the Rebellion, by the Chevalier de Johnstone, pp. 34, 35

clothing, like a forest in motion. The ground between the two armies was a plain field, covered with a thick stubble, the rustle of which under their feet, added to the mutter by which they expressed and heightened their fierceness and rage, carried terror into the ranks of the royal army. The left wing of the rebels having moved first, their line was somewhat oblique, and the Camerons came first in contact with the king's forces, firing upon the guard of the cannon as they approached. The Camerons were undoubtedly brave, but had these cannon been in the hands of skilful engineers, they must have repented their temerity. Here, however, to the six field pieces there was only one gunner, who had belonged to the Scottish train of artillery before the Union, and three old soldiers belonging to the company of invalids from Edinburgh castle, with two or three sailors which Cope had brought along with him from Dunbar, and so soon as the Highlanders advanced, the sailors, the three old invalids, and the gunner took to their heels, carrying the powder flasks along with them, so that colonel Whiteford, who, with his own hand fired off five of the cannon, all that were fired that day, could not fire the sixth for want of priming. Colonel Whitney, with his dragoons, was ordered to advance and attack the rebels before they came up to the cannon. He did advance a little ahead of the cannon, when he received a fire which wounded himself, besides killing several of his men, and the whole squadron wheeled round, rode over the artillery guard, and fled. The artillery guard had given one very indifferent fire, and they now dispersed. The rebels still rushing on, without stopping to make prisoners, colonel Gardiner was ordered to advance with his squadron and attack them, disordered as they seemed to be, by running over the cannon and the artillery guard. The colonel, who was a veteran of the school of Marlborough, and brave in the highest degree, advanced at the head of his men, encouraging them to the charge, but no sooner did the fire of the Highlanders reach them than they too reeled, fell into confusion, and fled. The Highlanders, most of whom had their pieces still loaded, now advanced against the foot, firing as they came on. Confounded to see the cannon taken

and the dragoons put to flight, the foot fired without waiting for orders. Beginning with the companies of the outguard on the right, who were nearest the enemy, the fire, irregular, feeble, and ineffective, ran down the line as far as Murray's regiment. The Highlanders having fired off their muskets, threw them down, rushed in, sword in hand, and the line of the king's foot having already broken as the fire had been given from right to left, they had nothing to do but to cut down the terrified fugitives as fast as they could come-up with them. Hamilton's dragoons on the left seeing what had happened on the right, and receiving a fire from the Highlanders, advancing to attack them, though they were yet at a considerable distance, immediately wheeled about and fled. Murray's regiment, which stood next them on the right, fired off one solitary platoon and followed their fellows.*

In this manner was the celebrated battle of Gladsmuir, as it has always been called by the victors, fought and won by the rebels.† In a very few minutes after firing the first cannon, the king's army, horse and foot, was totally routed; not one of the soldiers ever attempted to load his piece a second time, and, notwithstanding the carnage made among them, there was not so much as one of their bayonets stained with blood. "We obtained," says the chevalier de Johnstone, "a complete victory, and with such rapidity, that in the second line where I was, still by the side of the prince, we saw no other enemy on the field of battle than those who were lying on the ground killed and wounded, though we were not more than fifty paces behind our first line, running always as fast as we could to overtake them, and near enough never to lose sight of them." The Highlanders made a terrible slaughter of the king's troops, particularly at the spot where the road ran in between the two enclo-

* Home's History of the Rebellion, pp 84—88.

† "The Highlanders in their accounts generally give it the name of the battle of Gladsmuir, though Gladsmuir is at least three miles distant from the scene of action. There was, it seems, a tradition among them, that a battle was to be fought on the muir of the Gledes, which, in the issue, would ensure to the rightful sovereign the peaceable possession of his throne. They made the application that was most favourable to their views."—Statistical Account of Scotland, vol. xvii. p. 80.

tures, as it was soon stopped up by the fugitives, as also along the walls of these enclosures, where they killed, almost without effort, those who attempted to climb them. The strength of the position of the royal army thus became its destruction. Some of the broken regiments attempted to rally in the enclosure, where there was an eminence that commanded the field of battle, and from which they fired some straggling shots, but they were soon put to flight by the Highlanders, who entered the enclosure after them.”*

Never indeed was victory more easily gained, and scarcely was there ever one more complete. Of upwards of fourteen hundred infantry, well equipped in every respect, who formed the principal line of battle, only about one hundred and sixty, or at most two hundred, escaped by early flight or extraordinary swiftness; of the remainder a few were made prisoners, but by far the greater part of them were put to death. Of the dragoons, general Cope, with the assistance of the earls of Home and Loudon, gathered together about four hundred and fifty at the west end of the village of Preston, and marching by Soutra Hill and Lauder, reached Coldstream that night. The cannon, tents, baggage, and military chest, containing fifteen hundred pounds sterling, fell into the hands of the victors, and their supply of arms was more than for a considerable time they could raise men to employ.

The loss of the rebels was trifling; four officers and about thirty or forty men killed, six officers† and about seventy men wounded.

That this battle was in a high degree disgraceful to the king's troops does not admit of any dispute, but the prowess of the Highlanders was magnified beyond all bounds, and the most extravagant falsehoods were propagated to lessen the reproach

* *Memoirs of the Rebellion by the Chevalier de Johnstone*, pp. 34—38.

† One of these was Macgregor of Glengyle, son to the famous Rob Roy : “When advancing to the charge with his company, he received five wounds, two of them from balls that pierced his body through and through. Stretched on the ground with his head resting on his hand, he called out to the Highlanders of his company, ‘My lads, I am not dead! By —, I shall see if any of you does not do his duty.’ ”—*Memoirs of the Rebellion by the Chevalier de Johnstone*, p. 36.

of the one, and to highten the achievements of the other.* Of the king's officers it did not appear, upon inquiry, but that many of them—and the general in particular—had done their duty, but two only, and they both fell in the field, were honoured with the meed of popular applause. The one was colonel Gardiner, a man who united in his character the Christian and the hero, and was sincerely lamented by both parties. Deserted by his own men, he attempted to join and to rally a party of infantry, and was cut down by a stroke of a scythe given him by a Highlander from behind, while he was engaged with another before. He had previously received two wounds, one in the shoulder from a ball, and another in the forehead by a broadsword. "Honest, pious, bold Gardiner," says general Wightman in a letter to the lord president, "died in the field, and was stript very nigh to his own house, as is said. I believe he prayed for it, and got his desire, for his heart was broken with the behaviour of the Irish dogs whom he commanded."†

* Though Sir John Cope had such certain information from Mr. Home; the day before the battle, of the numbers and the equipment of the rebels, on his trial he said, that the rebels were about five thousand five hundred in the field!! A Mr. Bruce also reported that he had heard Mr. Baillie, steward to the late solicitor general, Dundas, who had been sent in among the rebels to procure intelligence, state, in presence of Sir John Cope, colonel Gardiner, and others, their numbers to be about five thousand; lieutenant colonel Whiteford, taken prisoner in the battle, said he was told by the duke of Perth, and the lords George Murray, Elcho, and Nairn, that their number was five thousand; majors Severn and Talbot, with captain Leslie, said they had been told by the duke of Perth, that by the returns the night before the battle their number was five thousand five hundred; lieutenant Craig, who saw them going up Fawside hill the afternoon before the battle, said, to the best of his judgment, they seemed to be above five thousand. On the other hand, a Mr. Jack, professor of mathematics, who was present in the battle, stated that the whole of the rebels in the field of battle, on the attack, from the ground they occupied, could not be above sixteen or eighteen hundred men, which was amazingly near the truth—for there were, as we have stated, above six hundred of the rebels in the second line that never came into the action—though his estimate was ridiculed, and himself reviled as a calumniator. It is easy to see the motives that might induce the rebel officers to magnify their numbers, though it detracted somewhat from their glory; but that experienced officers should have miscalculated so egregiously, can be accounted for only from their having seen the enemy through a misty atmosphere, or with a perturbed imagination.—Memoirs of the Rebellion. Trial of Sir John Cope, &c. &c.

† Culloden Papers, p. 225.

The other was captain Brymer, of Lee's regiment, "the only officer," says Home, "in the king's army who had seen Highlanders attack regular troops, and the only person who seemed to think that there was any thing formidable in their attack. When the rebels broke in upon that part of the line where he stood, he disdained to turn his back, and was killed with his face to the enemy."* Of the unfortunate general the most ridiculous stories were assiduously circulated;—"that he had made his escape to Berwick in a boat;† that by putting a white cockade in his hat, he had passed through the midst of the Highlanders unknown, and escaped into England;‡ and to stir up the spirit of the country against him, it was confidently stated, that a little before the engagement he had promised his army, after overcoming the rebels, whom he designated by the appellation of "Scots brutes," eight full hours' liberty to pillage the city of Edinburgh, the town of Leith, &c., which had succoured them. These statements were utterly without foundation, but they have served to perpetuate contempt and hatred of the man and his memory, though the sheer cowardice of the troops he was sent to command is the only thing that, up to this day, has ever been proved against him.

The exploits of the Highlanders, upon which so many tongues and pens were then, and have been since employed, when disrobed of the embellishments bestowed upon them by the inventors or the narrators, were such as have been common to barbarians in every age, and in every clime, and from the pusillanimity of their opponents, were at this time much more easy of performance than upon ordinary occasions. "They (the king's troops) threw down their arms," says the chevalier de Johnstone, "that they might run with more speed, thus depriving themselves of the only means of arresting the vengeance of the Highlanders. Of so many men in a condition, from their numbers, to preserve order in their retreat, not one thought of defending himself. Terror had taken entire possession of their minds." Such being the case, it is not at all wonderful that "the field of battle presented a spectacle of

* Home's History of the Rebellion, pp. 88, 89.

† Merchant's History of the Rebellion, p. 106.

‡ Memoirs of the Rebellion, by the Chevalier de Johnstone, p. 38.

horror, being covered with heads, legs, and arms, and mutilated bodies;" nor that "the Macgregors did great execution with their scythes." If, however, "they cut the legs of the horses in two," as this writer asserts, it must have been their hinder ones, the riders, as we have seen, having been careful to keep the fore ones out of the way; and if in any instance a "rider was cut through the middle of his body," it must have been by some more than ordinary brutal barbarian, who used his scythe, powerful as it necessarily must have been, fastened upon a pole eight feet in length, in the way of a saw rather than in that of a sword. What the chevalier styles the "vengeance of the Highlanders," must be understood only of their natural brutality and savage thirst of blood, for they had nothing as yet to revenge, either upon the army, or upon the government which employed it; and the measure which they now meted out, was, by and by, with merciless accuracy, returned into their own bosoms.

Charles remained on the field of battle, giving orders for the relief of the wounded of both armies, and for the disposal of his prisoners, till the day was well advanced, preserving at least the appearance of moderation and humanity, after which he proceeded to Pinkie house, where he remained all night, and next day returned to the palace of Holyrood. His army lay the night after the battle in Musselburgh and its environs, afterward they came to Edinburgh, and in a few days again took up their camp at Duddingston.*

By the destruction of the king's army at Gladsmuir, Charles was now, with the exception of the castles of Edinburgh, Stirling, Dumbarton, and the small fortresses of the north, in a military point of view, master of the kingdom of Scotland; but he wanted that which constitutes the principal strength and security of every government—the affections of the people. The clans had justified his expectations, and proved themselves more than a match for the forces that had been brought against them; but the more difficult part was before him, and it remained to be seen whether the wisdom of his counsels, and the energy of his measures, were to be equally powerful in allaying those suspicions, and overcoming that

* Scots Magazine for 1745.

mortal aversion with which he was every where received. One of the most obvious methods of obtaining these ends was to create as little disturbance, and introduce as few changes as possible; and, especially among a people of religious habits, it was of the utmost consequence that the usual routine of religious observances should meet with no interruption. Of this Charles and his advisers seem to have been perfectly aware, and accordingly, on the twenty-first of September, the day the battle of Gladsmuir was fought, being the first Saturday after he obtained possession of Edinburgh, he sent a message to the respective dwellinghouses of all the ministers of the city, desiring them to attend to the public duties of the Sabbath as usual, assuring them that they would meet with no interruption. The ministers, however, reckoned themselves called upon in point of duty to forbear assembling with their people, except they could meet with them in a place beyond the jurisdiction of the rebels, "that they might give," as one* expressed himself, who thus met with his people in the open fields some miles to the westward of the city, "an open testimony, proof, and document, that they were resolved, through the Lord's grace, to come to no terms with the enemy that had power in the city." Mr. Hay, morning lecturer in the Tron Church, and Messrs. Macvicar and Pitcairn in the West Kirk, continued their ordinary services without any disturbance, though they prayed for king George, and warmly recommended loyalty.†

On Monday the twenty-third, the victory over the king's troops, and the disappointment from the ministers of Edinburgh, were notified to the public by the following proclamation:—"Charles, Prince of Wales, &c. to all his majesty's subjects, greeting. Having always had the greatest fatherly love and compassion to all our royal father's subjects, and having with concern reflected on the many and heavy oppressions they have groaned under during this long usurpation, we

* The Reverend Adam Gibb.

† Scots Magazine for 1745: Mr. Macvicar is reported to have prayed particularly for king George, and to have added, As for this young man that is come amongst us to seek an earthly crown, we beseech Thee in mercy to take him to thyself, and give him a crown of glory.—Complete History of the Rebellion, by James Ray, p. 45.

re from these motives influenced to undertake the present enterprise, which it has pleased Almighty God to favour, by granting us hitherto a most surprising success.

“ And whereas it has been represented to us by many of our loyal subjects, that many of the inhabitants of our ancient city of Edinburgh intended to testify their joy upon our late victory at Gladsmuir by public rejoicings, usual upon the like occasions, we, reflecting that however glorious the late victory may have been to us, and however beneficial to the nation in general, as the principal means, under God, for the recovery of their liberty, yet in so far as it has been obtained by the effusion of the blood of his majesty's subjects, and has involved many unfortunate people in great calamity, we hereby forbid any outward demonstrations of public joy, admonishing all true friends to their king and country to return thanks to God for his goodness towards them, as we hereby do for ourselves by this public proclamation.

“ And we hereby repeat what we have so often declared, that no interruption shall be given to public worship, but on the contrary, all protection to those concerned in it; and if notwithstanding hereof, any shall be found neglecting their duty in that particular, let the blame lie entirely at their own door, as we are determined to inflict no penalty that may possibly look like persecution. Given at our palace of Holyrood house, the twenty-third day of September, 1745 years, and of his majesty's reign the fifty-fifth year.”

A second proclamation was issued the same day, setting forth that “ Whereas it is highly necessary that all the inhabitants of Edinburgh and liberties thereof, be secured and protected in their persons, goods, and effects, as also, that all the farmers' horses within five miles of Edinburgh be secured and protected to them, and that country people from all quarters pass and repass to Edinburgh without disturbance about their lawful business. We therefore hereby grant protection to the inhabitants of our ancient city of Edinburgh and liberties thereof, to the farmers' horses, and country people from all insults, seizures, injuries, and abuses of our army against them respectively. The farmers, before they are entitled to this protection, always enacting themselves in the secretary's office,

at our palace of Holyrood house, that they shall be ready, on twelve hours' warning, to furnish us with horses for carrying the baggage of our army to Berwick-upon-Tweed, or the like distance, according to their ploughgates. Given," &c. &c.

A third proclamation followed, addressed to the army, forbidding any member of it to take what he wanted at his own hand from the "good people of Edinburgh," or horses from the country people, without an order signed by a general officer. This was occasioned by the many depredations committed on the inhabitants by the rebel soldiery, or as the rebels gave it out, by persons who assumed the character for the purposes of pillage and plunder. But the next day, the twenty-fourth, brought forth one still more remarkable:—"Whereas, we are informed that several of our subjects, as well clergy as laity, in our ancient city of Edinburgh and neighbourhood thereof, did associate and take up arms against us, and that many of them fled from their houses lest they had been prosecuted and made examples of as their crimes demerited. And whereas, we have nothing so much at heart as the good of all our subjects, how much soever deluded by the prejudices of education or mistaken interest, and being always disposed, as a true father of our country, to display that mercy and tenderness natural to us, and the distinguishing characteristic of our family. We do therefore in his majesty's name, hereby grant a full pardon to the persons associate as aforesaid, for all treasons, rebellions, and offences whatsoever, committed by them at any time before the publication of these presents, whether against our royal grandfather, of blessed memory, his present majesty, or ourselves, dispensing with the generality hereof, and admitting the same to be as effectual to all intents and purposes as if all their names had been set down. Provided always, that the persons aforesaid present themselves within twenty days after the publication hereof to our trusty and beloved counsellor, John Murray of Broughton, Esq., our secretary, or any one of our council appointed for that purpose at our palace of Holyrood house, or where else we shall be for the time, with a declaration that they shall live for the future as quiet and peaceable subjects to us and our government, otherwise these presents shall be of no effect to them. Given," &c.

&c. This on the part of Charles, was, to say the least of it, exceedingly ill advised. His own utter heartlessness was not yet generally known, and as he was so bold in asserting mercy and tenderness to be natural to him, had the history of the civil wars, occasioned by the obstinacy and duplicity of Charles I.; the murders, legal and illegal, perpetrated under the debauched, and spiritless Charles II.; the subverting of the laws and the violent intrusion upon the rights of individuals and of corporations by his "grandfather, of blessed memory," been all annihilated, together with the experience of some men yet living, who had been the victims of his brutal tyranny, Charles might have been believed when he asserted that these qualities were the characteristics of his family. As the heart-rending narrative, however, of all these facts was in every body's hands, and the bitter experience of some of them fresh in many men's memories, the assertion only brought more fully into view the far more perfectly developed characteristics of the family, ignorant presumption and incorrigible conceit, under which the three kingdoms had groaned nearly a century, and from which they had almost by miracle been delivered when they were upon the very brink of ruin. Such was the wisdom that reigned in the council of Charles, which now assembled for the despatch of business at the palace of Holyrood every morning at ten o'clock, and was composed of the two lieutenant generals, the duke of Perth, and lord George Murray, Murray of Broughton, the secretary, the quarter-master general Sullivan, Sir Thomas Sheridan, and all the Highland chiefs. To these were added, upon their arrival at the camp, lord Pitsligo and lord Elcho.*

Previous to the arrival of Charles and the delivery of the city into his hands, the two banks had been removed into the castle, as well as the more valuable articles belonging to the citizens; and on the twenty-fifth another proclamation was issued, narrating the great inconveniences that had ensued from the removal of the banks, inviting them to resume their business at their former stations, promising that they should be free from all contributions to be exacted by him in time coming,

* Home's History of the Rebellion, p. 90.

and that he himself would contribute to the re-establishment of their credit, by receiving and issuing their notes in payments. But like the others, it was disregarded. The banks not choosing to take his princely word, thought their property more sure under the care of general Guest and the guns of the castle. Some few of the more timid or more ambitious of the volunteers did present themselves to "John Murray of Broughton, Esq.," with a declaration that they would for the future live the quiet and peaceable subjects of Charles, and a few, fearing the worst, took their leave of the city for a time, but the far greater part of them followed their business, without taking the smallest notice of the proclamation that had been issued against them.

These official efforts on the part of Charles, were by his literary friends seconded from the press with great zeal, and with no small degree of ingenuity. The most glaring falsehoods were propagated to perplex the inquisitive, and the bitterest sarcasms, and the coarsest lampoons, to gratify the malignant and the illiberal;* while the pious and the reflective were attempted to be laid asleep by the most plausible sophistry, and the smoothest declamation. Pretending great zeal for the interests of religion, and "as much affection to the church of Scotland as any man living," some Jacobite, first through the Caledonian Mercury, published "Advice to the ministers of Edinburgh," in which he expressed his disapprobation of their behaviour, "in not exercising their ministerial functions, when they were not only tolerated and allowed, but even invited and required so to do, and assurances made that no disturbance should be given them or their audiences;" and, secondly, "Unto the reverend the ministers of the several kirks and congregations of the city of Edinburgh, the earnest request and most humble petition of the heads of families, and others, their respective parishioners," in both of which, he attempted to show that they acted inconsistently with their own principles, in refusing to take advantage of the sufferance and protection of Charles, of which, as he insinuated, they were really unworthy.

* For specimens the reader may consult Hogg's Jacobite Relics, where, if he is not a perfect glutton, he will find more than enough to satisfy him.

It does not appear, however, that his reasonings produced any effect farther than that of calling forth a more decided opposition, with multiplied refutations of his sophistical misrepresentations. Presbyterians, indeed, of all classes, behaved with great firmness, and exhibited the most steady loyalty. Solemn fasting was every where gone about in their congregations, the artful representations of the Jacobites completely analyzed, and the natural and necessary tendency of their pretensions clearly pointed out.*

This careful performance of duty by individuals, was also seasonably seconded by public bodies. The synod of Glasgow and Ayr, on the first of October, published an admonition to the people within their bounds, in which the nature and tendency of the pretensions of Charles are shortly but admirably described:—"Let it be carefully considered," say they, "that the crown of these kingdoms is claimed by the pretender as his inheritance, on the footing of an indefeasible right and property; that is, he claims a right to sit upon the throne as heir and successor to the late king James, who, for his arbitrary and tyrannical administration, and his repeated attempts to subvert our religion and liberties, justly forfeited his title to the crown, in consequence of which, he openly condemns the revolution as unlawful, and represents the happy period of government that has been since, as one continued usurpation.

"What security we can have for any of our rights and liberties, under one who claims to be our king on this foundation, you need but just open your eyes to perceive. Does not such a claim openly declare, that as what was done at the late glorious revolution to defend our liberties and constitution, when upon the brink of ruin, was unjust and sinful, so, if he who now pretends to a right to succeed the said king James in the government, should pursue the same arbitrary and enslaving measures, it were unlawful for us to stand upon our defence, and it became our duty tamely to yield up ourselves to the hardest slavery and bondage. Is not, therefore, such a claim visibly subversive of all the principles of liberty, and a plain

* Scots Magazine for 1745. Gib's Display of the Secession Testimony, vol. ii. p. 249.

assertion, that our most important and sacred rights, as now established by law, are not to be defended against the most tyrannical and arbitrary attempts to ruin them.

“ Consider what the history of our own and many other nations may teach us to expect from a king educated in the principles of popery and arbitrary government—the dreadful severities exercised upon our own countrymen and worthy ancestors, before the revolution, by exorbitant finings, imprisonment, intercommuning, banishment, dreadful tortures, military executions, without form of law, beheading, and hanging, and quartering, which many yet alive do well remember; these, and many other instances of cruelty mentioned in history, may justly give you and us the alarm, and teach what we have to fear from a government established upon the same political and religious principles.

“ And though it would appear to be the interest of the party now in arms against the government, to have the above mentioned severities against our own countrymen buried in oblivion, or even to express their dislike of them, instead of this they seem to justify these severities, by asserting in one of their proclamations lately published, that mildness was the peculiar characteristic of the family under whose government these things happened.”*

The commission of the General Assembly of the church of Scotland, in A Warning and Exhortation to the people under their inspection, laid open the same dangerous principles still more at large:—“ We earnestly obtest all protestants, all lovers of our religion, liberty, and native country, to beware of the delusive arts, which Romish emissaries from abroad, and the enemies of our constitution at home, have industriously and indefatigably used to destroy that glorious structure which our gracious God reared up at the revolution, by king William of immortal memory.

“ Specious declarations are made by the pretender and his son, of securing to British protestants their religion and liberties. But they are made by the sons of a church whose known principle and practice is never to keep faith with heretics, and

* Scots Magazine for 1745.

such she reckons all protestants; a church which never omitted an opportunity of destroying all those who separated from her when it was in her power. * * * *

“To strengthen this pretended security, a promise is made to call a free parliament, and to act always by the advice of parliaments. But can any thing be more absurd than to imagine that he who founds his title to govern upon an hereditary and indefeasible right—that he who considers the whole nation as his natural estate, and all the members thereof as his property, will allow himself to be restrained by any limitation, or have regard to any thing but his sole will and pleasure? What authority can laws have when, notwithstanding the most notorious violations of them, this pretended right remains entire, and not to be forfeited by any conduct whatsoever? * * * *

“Loud complaints are made of insufferable grievances and encroachment upon our liberties under the benign administration of our present gracious sovereign, to redress which is the pretended design of this wicked rebellion. But how is this heavy charge made out? Do our enemies pretend to produce any one act of lawless power ever done or so much as attempted by his present majesty, or his royal father, through the whole course of their reigns? No: but instead of this they tell us of some things which are of a doubtful and disputable nature, and about which the wisest, the best, and the freest men have different apprehensions and views:—things are mentioned as encroachments which were never done at all, but barely proposed, and after being for some time canvassed by the legislature, were laid aside:—and none of the things complained of can be alleged to have been done, or the least attempt made to do them, any otherwise than by law:—law enacted by, and with the advice and consent of the representatives of the people, chosen by the freeholders, and men of property in the nation. What a degree of impudence must it require for any man to compare things of this nature with the many known acts of mere power and violence (not only without law, but in the face of the plainest standing laws) done in former reigns before the glorious revolution, about which it was then dangerous to debate, and of which it was held criminal to complain. And how justly might we expect the repetition of such acts of vio-

lence under the reign of one who claims the crown by the pretended indefeasible right of succession to these princes, extols the equity and clemency of their administration, and sets it before him as the glorious pattern of his intended government.

“The minds of these men must be monstrously perverted who can favour a design, the natural and necessary consequence of which must be the subversion of what Great Britain glories in above all nations—religious and civil liberty. Can we expect liberty from arbitrary power—a free parliament from an armed force—just laws from lawless men—the security of our property from the invaders of our property—the protection of our commerce from France and Spain—the safety of the protestant religion from a popish pretender—and toleration of tender consciences from a persecuting spirit.”*

These admonitions and exhortations appear to have been greatly influential upon the mass of the community; perhaps they were nothing more than the expression of the general feeling of the country, which by the conduct of the rebels was every day heightened; for their authoritative exactions were very grievous, not to speak of their robberies, which were beyond numbering. In consequence of this general feeling, the victory of Gladsmuir was of very little benefit to their cause in that neighbourhood, not an individual, except lord Kilmarnock and Arthur Elphinston, afterwards lord Balmerino, joining them for some days; and not a few of the Highlanders, who, after the battle, had been successful in the scramble for plunder, having gone home to secure it, their forces were considerably reduced in number, which, with the want of union in their counsels, paralyzed their activities, and compelled them to linger in and about Holyrood house, pleasing themselves with the mockery of court forms, when they ought to have been following up the blow they had so unexpectedly succeeded in striking, by marching into England upon the heels of the flying fugitives. So little indeed did their victory contribute to the confirmation of the more knowing of their friends, that George Lockhart, the eldest son of George Lockhart of Carnwath, the author of Letters,

* Scots Magazine for 1746.

Commentaries, &c. known by the name of the Lockhart Papers, to which we have so often referred in the course of this work, surrendered himself to Sir John Cope at Berwick, and was by him, in the month of October, carried under a strong guard up to London. His son, George Lockhart, a young man of twenty, was at the same time in the pretender's army—was the person who carried the tidings of Sir John Cope's defeat into Edinburgh, and by being always foremost in every measure proposed for advancing the cause, made himself so obnoxious to the House of Hanover, that notwithstanding his extensive connexions, and the powerful interest that was made for him, George II. could not be prevailed upon to pardon him, and he died at Paris in 1761, a few months before his father. Mr. Lockhart's surrender of himself to Sir John Cope, after an engagement so advantageous to the cause of the Stuarts, which there cannot be a doubt had his best wishes, must have been prompted by a conviction that the pretender's means were in no degree equal to the attainment of his object, and, in case of the complete failure of the enterprise, with the hope of saving his estate; while on the other hand, should the pretender, contrary to all probability, succeed, the zeal of the son would atone for the calculating prudence of the father. Of this government seems to have been perfectly aware, and Mr. Lockhart was accordingly confined to Yorkshire, where he remained a prisoner at large till after the Rebellion was completely suppressed.*

At the same time Charles and his council, notwithstanding appearances in Edinburgh and its neighbourhood, flattered themselves all along with expectations of powerful re-enforcements from the north; and now that they could boast of a victory so signal, and gained with so very trifling a loss, they made sure of every man among the clans that was able to carry arms, and a day or two after the battle a special messenger was despatched to the Isle of Skye, to assure Sir Alexander Macdonald, and Macleod of Macleod, that though they had not joined Charles on his landing, he did not impute their conduct to any want of affection to his person, or zeal for his cause; that their services in the

* Lockhart Papers, vol. ii. pp. 450, 451.

field would now be more useful than ever, and he was ready to receive them as the best, while they should find themselves the most favoured of his subjects.

From Skye the messenger proceeded to Castle Downie, the seat of lord Lovat, who, when he was told of the battle, declared the victory to be unparalleled in history, and exclaimed, that as sure as God was in heaven his right master would prevail;* and he set himself immediately, with that cautious policy for which he was so notorious, to raise the men of his own clan, and to influence his neighbours to do the same. By this time, however, commissions had been forwarded to the lord president for raising twenty independent companies, and, though on the part of administration there was the most scandalous delay in forwarding him the money that was absolutely necessary for giving them all the effect they were naturally calculated to produce,† he

* Home's History of the Rebellion.

† " My Lord,

"This day I had the honour of your lordship's of the 12th, referring to one of the 10th, in which your lordship gave me more particular directions. The letter referred to, is not yet come to hands; and it was by the greatest accident that the other, which was in a packet not to be concealed had it met with any to look after it, came safe. The cause of this difficulty, and the cause why I write in this minute form of concealment, is, that after Sir J. Cope left this country, Mr. Gordon of Glenbucket, whom your lordship has often heard of, with some Highlanders, and some zealots of the shire of Banff, have gone a recruiting to re-enforce the posse that are gone southward; and though they meet with small success, yet they infest the roads, and make communication 'twixt this and Edinburgh unsafe, if not unpracticable; which is one of the reasons why I have so earnestly pressed for some ship or armed vessel, to keep the communication open. I hope your lordship has received my note of the 13th, 10 at night, because it came safe to Aberdeen, and was forwarded by sea, after Sir J. Cope had sailed. In it I acknowledged the receipt of the commissions sent me, and acquainted your lordship with my purpose of disposing of so many of them as I should judge necessary, to such persons as were most likely to bring a body of men immediately together for his majesty's service. I am now working on that plan, and am in hopes of having such a body in readiness, by the time that arms and money, or credit, to bring them together to act, can reach us. Your lordship has again mentioned, that Mr. Pelham has promised to answer my bills towards necessary expenses; but you could not be informed till you got my last, that such is the state of this country from the confusion of the times, and the stop of communication, that all coin is locked up, and none can be commanded. I cannot

had the address to engage some of the most effective of the clans on the side of the government, and so to entangle others, that their movements were disjointed, tardy, and ineffective.

Lovat himself seems to have been one of the first whose zeal for the pretender he attempted by these commissions to damp:—"The moment," says he, in a letter to Lovat, "I received authority to dispose of the commissions for some independent companies, you may be sure your lordship came into my eye, and though I had been forgetful, the care of your good friend my lord Stair, would not have permitted it to have been long so, for a note from his lordship, which came just after to me, made kind mention of your lordship, and pointed at your second son, as your eldest was destined to another course of life. I should have wrote to your lordship then on the subject, but that Macleod was going to you, and I charged him with mentioning it; but finding that he has not brought me, as I expected, your lordship's resolutions, and being under a necessity of reporting

command a shilling that is owing to me, and even bank bills are of no currency. I do as well as I can in respect to small expenses, but sums of any value cannot be compassed; and therefore once for all, unless some vessel is sent, with a proportion of cash and credit, which by the open communication which will thereby be preserved, may be effectual, the new companys cannot speedily be of half the use they otherwise might be of. The state of the southern country, since the Highlanders passed the Forth, your lordship will be acquainted of, from thence. Ours is, that though numerous emissarys have been employed amongst the northern clans, no men have as yet been prevailed with to be mad enough to join them, since they passed the Corryyarig, to their very great disappointment, and I hope the independent companys will be a mean to secure our tranquillity, if not to do more; as there are madmen in all countrys, your lordship will easily believe, it will require some skill and industry to produce even this effect. Glenbucket, whom I have named, and who is said to have a major generall's commission, has been for 10 days busy in Bamffshire levieing troops, which, if I be not much misinformed, desert him daily: he has hitherto found no gentlemen of fortune to join him; and his numbers are not said, even by his own people, to exceed 300. In Badenock, MacPherson of Clunie, who lately had a company in Lord Loudon's new regiment, and who was seized by the rebells, as he says by surprise, when they passed the Corryyarig, is said to have listed with them, and I am afraid the report is true. When our new independent companys can be brought to act, we shall have nothing further of this kind. Ceremony can find no room in such a morsel of paper. I therefore take very respectfully my leave," &c.—Culloden Papers, pp. 407, 408.

soon what I have done or am a doing, I am obliged to give your lordship the trouble of this, to beg to know how you like the proposal, and if you do to have a list from you of the persons' names to whom you would have the commissions for captain, lieutenant, and ensign given. My labour for the best part of thirty years is lost if I need to employ many words to convince you, that I wish your family heartily well. I have heard no news, but from Aberdeen, that Sir John Cope, who weighed Sunday night, had a fair wind all Monday, which was supposed there to have brought him into Leith roads. As to the reports that are coined and spread to animate either party, they make no impression on me, no more than they ought to make on any wise man. One of them, however, I will mention from a letter of the Lyon's, who came home last night from his expedition to Aberdeen, which will show your lordship how senseless and impertinent their tales with which they attempt to keep up their spirits are. He says, that in his way home, he was assured by ladies, who had it from J. Hamilton in Strathboggie, that your lordship's Stratherrick men were immediately to join Glenbucket, and that as your own health was bad, and the master of Lovat but young, you had sent for your cousin Inveralachie to command these, and to raise your other men. If such silly stories pass upon any body, it must be upon those who do not know what you have done for the present government, and the value you have for your honour, and for the estate of Lovat. As to Inveralachie's part of it, though I am not personally well known to that gentleman, yet the character of prudence and discretion which I have had of him from Sir Arthur Forbes, lord Strichen, and several other of his friends, satisfy me that he is not giddy enough to enter into the views which Mr. Hamilton might present him with: so that from this ridiculous instance, one may easily see what stress is to be laid now-a-days on private history and on reports."*

Though the lord president mentions the above as merely idle reports, if they were not the truth itself, they were unquestionably very near it, as the reply of Lovat, artful and cautious as it is, evidently shows:—"My dear lord, I received just

now, it being very late, the honour of your letter of this day's date, for which I give your lordship my most sincere thanks. I am very glad, my lord, that your health is good in spite of your vast fatigue: long may it be so, and I presume to assure your lordship of my affectionate respects and my son's, in which Inveralachy, who came here just before dinner, and Gortuleg join us.

"I give your lordship ten thousand thanks for having me in your eye when you had it in your power to do great and good service to my family. I shall always have a grateful remembrance of it, and your lordship cannot but remember, that these thirty years past I had as strong an attachment to your lordship's person and family as any man in Scotland, and never swerved from that till I was unhappily deceived and engaged to act against my zealous worthy friend, your brother Culloden, in the affair of his election, which I did, and will repent of all my life, and I have been very sufficiently punished and chastised for it. But these unhappy jars being over, I am fully convinced that your lordship bears good will, and has very good wishes for the prosperity of my family, and this makes me still look on your lordship as one of my best friends.

"I am very much surprised and angry at my cousin Macleod that did not tell your lordship my resolutions about the independent company, and explain my reasons for my resolutions, which he knows very well, and which I told him twenty times more fully than I can tell it in a letter. I therefore refer still to my cousin Macleod to tell your lordship my resolutions and my reasons for them; I am vastly obliged to my worthy friend, the great earl of Stair. This is not the first mark of his friendship for me, of which I will retain a grateful sense as long as I live. If I did not know that my friend, the Lyon, takes pleasure sometimes in telling and retailing clatters and stories, I would be very angry at him for writing to your lordship such a ridiculous, silly, foolish lie of me, which has no more foundation than if he had said I was going to join Kuli Khan; for Glenbucket and I had a quarrel ever since Glenbucket went to Stratherrick with Fraserdale, and threatened the Stratherrick people to bring down the force of Badenoch upon them if they did not pay their rents to Fraserdale. As to my cousin Inver-

alachy, the character that your lordship gives him in your letter is very just; for I do assure you that he is a gentleman of very good sense and understanding, and far from being a fool, and was as cautious and prudent in his proceedings and ordinary transactions as any that lives in the shire that he is in. Besides, he knows his birth too well to go under Glenbucket's command on any consideration whatever, so that the part of the story attributed to him is as grossly false as my part of the story, which I am sure he will tell your lordship when he has the honour to wait upon you. And I sincerely declare to your lordship, that the reason I sent for him is, that I resolve to put my estate in trust into his hands, my lord Strichen's and Macleod's, being determined as soon as I can, as I have been all this season, to go south, and from that to England, and from that to France (if I get leave) for the benefit of my health, and I sent for Inveralachy to be witness to Evan Baillie's drawing up the papers concerning my estate, because it's ten to one if ever I come back to this country after going out of it. This is the true matter of fact.

“Whenever I am able to travel so far, I shall have the honour to pay my respects to your lordship at Culloden, and explain this matter more fully to you, and I am, &c. &c. your lordship's most obedient and most affectionate slave, Lovat.”*

It is to be observed that though the rebels were at the date of this letter in possession of Edinburgh, they had not yet seen Sir John Cope, but even after that unfortunate affair, and after the messenger of Charles had been through the north with the most flattering accounts of it, we find lord Lovat writing to the same correspondent, along with a letter from the laird of Macleod, in a manner, if possible, still more flattering:—“My dear lord, I was very glad to hear by my cousin, Macleod, that your lordship is in your ordinary good health, notwithstanding of the fatigue you must undergo in these confused and troublesome times.

“I send your lordship a letter from my dear cousin and your real friend, the laird of Macleod. And if it will be agreeable to your lordship, as it is truly to me, I shall be mighty

* Culloden Papers, p. 409, 410.

glad of it, and I shall steadfastly observe and stand by the terms of that letter, and whatever turn the affairs of state may take, I shall always live with your lordship as a neighbour, relation, and real friend ought to do, and will never forget the obligations I owe to your lordship and your family.

“ There has been several villanous, malicious, and ridiculous reports that vexed me very much, but as there was nothing ever out of hell more false, I despise them, and the scoundrels that invented them ; and since the whole business, trade, and conversation of many in Inverness is to invent and tell lies, I hope your lordship will believe no ill or mean thing of me till you have a real and infallible proof of it, as I am resolved that this shall be my conduct towards your lordship. And if your lordship pleases, let us live together as we did since you came north, communicating to one another what news we hear, and enquiring for one another’s health.

“ If it was not for the excessive pain that I have in my knees and limbs, I would certainly have paid my respects to your lordship at Culloden before now, notwithstanding of all the villanous lying stories and reports that have been going very much to my disadvantage, and a little to your lordship’s ; and I am very sure that it is the advantage of my family and person to be in friendship with your lordship, and I am resolved to observe that friendship inviolably if your lordship does not reject it, which I by no means apprehend. I shall long for an answer of this letter, and I ever am, &c. your lordship’s affectionate cousin and most faithful slave, Lovat.”* This the president answered the same night, probably by the bearer, in the most cordial manner :—“ I have yours,” says he to Lovat, “ enclosing Macleod’s. Both letters breathe what I should expect to meet with from both, stark love and kindness. I have spent my time ill for many years past, if your lordship is not convinced that I wish in a very uncommon way well to your family, and the drumly times in which we now live may perhaps show it more than perhaps would be imagined. If Macleod has told you all he knows, he has given you a strong instance of this ; and I do once for all assure you, that no ac-

* Culloden Papers, pp. 227, 228.

cident that can happen will divert me from pursuing the resolutions which I was possessed of, as you well know, with respect to your lordship, thirty years ago. I mightily approve of your purpose of conforming yourself to the resolutions of the friends you speak of, as you know for them I have the greatest respect; the tales you have been told ought not to make any impression on your lordship, as they have made none upon me farther than to induce me to take that sort of care of myself, without which I should have been laughed at." The president concludes with advices regarding his health, offers to send him the doctor if he had any occasion for him, and promises to let him hear when there was any thing new, and takes his leave with those kind wishes which he says had remained with him almost from his cradle.* These letters, however, breathing nothing but stark love and kindness, were certainly intended to deceive, for the very day they were written Fraser of Foyers says, in a letter to Tullibardine, he was present at Beaufort [or Castle Downie] when Macleod of Macleod was despatched express to Skye, under an engagement upon honour, to be at Corryarrak with his men on the Tuesday week, where he was to be joined by the Mackintoshes, the Mackenzies, and the Frasers, on their way for Edinburgh to join the army of Charles.† Macleod, however, when he reached Skye, found Sir Alexander Macdonald altogether averse to the project, and determined to fulfil at all hazards those engagements he had come under to the lord president, and, happily for himself, being very much under the influence of Sir Alexander, resolved to follow his example, and of course the meeting at Corryarrak so solemnly sworn to never took place.

Three days after the date of the above, and before Lovat could be apprized of Macleod's determination, lord Loudon arrived at Inverness to take the command of the troops there, and to assist in organizing the independent companies, for which the lord president had already made all preparatory arrangements. He also brought a supply of ready money, the want of which had been such a serious obstacle to the success

* Culloden Papers, p. 228.

† Home's History of the Rebellion, p. 96.

of the various projects set on foot for the defence of the government, and, certain of having his companies drawn together in a day or two, the lord president wrote to Lovat, in accordance with his promise, the following short note :—" My lord, as you desired I might give you notice of any thing new that comes to my knowledge, I send you this note to let you know that lord Loudon came hither last night. A frigate brought him to Cromarty yesterday morning. All the news he brings is, that besides the auxiliary Dutch and the ten British battalions already landed, eight more British battalions and nine squadrons lay actually embarked at Williamstadt, waiting a wind for the north of England, before he left Newcastle. That two thousand men from Ireland are landed at Chester; that the troops are in full march northwards, with some regiments of horse and dragoons, all to be commanded by your old acquaintance, Wade; that there is a prodigious spirit up among the nobility and gentry of England, several of whom are by permission levying troops and regiments of horse at their own expense; and, that the anger conceived at our unhappy countrymen is extreme. That what my lord says is truly his belief, I do not at all doubt; and I must confess I further believe that what he says is true, I heartily wish your faith were such as mine is, it is not yet too late. Nothing can equal the concern I have for your lordship's family but the joy it would give me to be the instrument of saving and doing it good. I write this freely, because you, I hope, believe me a sincere wellwisher."*

This must have been very unwelcome news to Lovat; the eye of the president was more than he could well bear, and to have a military commander, and a military force placed beside him, at the very moment when he was ready to put the treason he had so long meditated in execution, he no doubt considered as very unfortunate. Chagrin and disappointment are visible through all the artifice and affected plainness of his reply :—" My dear lord, I received with great pleasure the honour of your letter, and am exceeding glad to know that your lordship is in great health and spirits. I am so unlucky that my case is the reverse, for I have neither health nor spirits. I

* Culloden Papers, p. 229.

have entirely lost the use of my limbs, for I can neither walk nor mount a horseback, without the help of three or four men, which makes my life both uneasy and melancholy; but I submit to the will of God:

“ I am very glad that my relation and friend the earl of Loudon is come safe back to this country, after the great danger he was in; I have great reason to love and honour him, for besides his own merit, I was in intimate friendship and comradeship with my relations the earl of Loudon, his father, who was certainly a wise and great man, and with his worthy uncle the general, with whom I lived as with a brother, so that I have great reason to wish the earl very well, and I humbly beg of your lordship to make my compliments to him. I am sorry that my faith is not the same with your lordship, but I hope our friendship for one another will always be the same; that is full of sincerity and affection. As to the earl's news, I am sorry that the people of this country will give it only such credit as your lordship will give to the news that I send you from the Highland camp. A man told me yesterday, that he saw a gentleman immediately from the south, who assured him that there were ten thousand French landed in England, and the chevalier's second son with them; this is an article that I truly do not believe myself, but there is another piece of news that I had from pretty good authority, that the duke of Beaufort, Sir Watkins William Wynne, and Morgan of Tradagan have put up a standard, and are already six thousand strong, to join the young adventurer. This I know your lordship will not believe, though lord Loudon must have heard of it. That there is a great spirit throughout all Scotland for this young gentleman, is very manifest. All the gentlemen in the shires of Banff, Aberdeen, Perth, and Stirling, are in motion to join the prince, as they call him. Your cousin, old lord Pitsligo, was last week at Perth, with one hundred gentlemen, well equipped, going to join the Highland army. There are four squadrons formed already at Edinburgh, all of gentlemen and freeholders, to be a lifeguard to their prince, commanded by lord Elcho, whom I never saw, though he is my very near relation. Sir James Campbell of Auchinbreck, and other gentlemen in Argyleshire, have marched with twelve hundred men to join the Highland

army, and without all doubt the spirit of the most of Scotland is manifestly for that young adventurer, so that he is much wiser than I, nay, I think he must be a real prophet, that can tell which of the sides will carry. I am very sorry that this spirit is come to so great a height in this country, for the Clanchattan's rendezvousing to go and join the Highlanders has so intoxicated my people, that I find it morally impossible for me to stop them. The oldest men, that are substantial tenants, say that they will not stay behind to be upbraided with cowardice by their neighbours. Your lordship may remember that I had a vast of trouble in keeping my men from rising at the beginning of this affair, but now the contagion is so universal, by the late success of the Highlanders, that they laugh at any man that would dissuade them from going, so that I really know not how to behave. I wish I had been in any part out of Great Britain these twelve months past, both for my health and other considerations. As a true friend is always best known in time of great need, I humbly beg that your lordship will give me your best advice, and forgive this freedom, which I would use with no other man but your lordship. And believe that I am, in all situations of life, with a sincere esteem and great respect, &c. &c. your lordship's most affectionate cousin, and most faithful slave, Lovat."*

In the midst of all this friendly communication, there was a scheme formed by the Frasers for seizing upon the house of Culloden, and either killing or making the president a prisoner. The execution of this scheme was intrusted to Fraser of Foyers, who made the attempt on the night of Tuesday the fifteenth of October, the very day the clans were engaged upon honour to assemble at the pass of the Corryarrak, for the purpose of reinforcing the army of Charles at Edinburgh. The president, however, who, had arms been his profession, had probably been as celebrated a soldier as he was a lawyer, knew his situation, and the men he lived among, better than to suffer himself to be so surprised. The castle of Culloden was naturally strong, several pieces of cannon were planted upon its rampart, and it was occupied by a garrison able and willing to defend it, so that,

* Culloden Papers, pp. 229, 230

leaving behind them one of their number wounded, the assailants were obliged to content themselves with carrying off some sheep and cattle, robbing the gardener, and the house of an honest weaver, who, it would appear, lived under the protection of the president. The manner in which the president bore this most treacherous insult, is peculiarly characteristic of his invincible courage and consummate prudence. "No man of common equity," says he, in a letter by which he informed Lovat of the circumstance, "when he knows that they carried off my sheep, robbed my gardener and the poor weaver, who is a common benefit to the country, and carried off some of my tenants' cattle, will imagine that there was the least countenance from any one about your lordship to this transaction, nor should I now give you any trouble on a subject so disagreeable, but that I am teased every hour with reports, that the gentlemen who failed in their principal aim, give it now out that they are to pillage, burn, and destroy my innocent tenants. These reports I confess I give no credit to, knowing that I never deserved any such usage at the hands of those who are said to intend it. But as things very unforeseen now-a-days happen, I have judged it proper to acquaint your lordship with what I hear, in the full confidence that you will take as much pains to prevent such hurt to me and my tenants, as I most undoubtedly should to prevent damage to your lordship, or any one that belongs to you. I have no news supported by such authority as is fit to convince you, whose faith is on one side stronger, and on another weaker than mine, else I should give you them. But I hear enough to satisfy me that our unhappy contentions will soon be at an end." That the attack upon Culloden was made unknown to Lovat, it is impossible for any one acquainted with his power and his general character to believe, but it was his interest, more especially as it had not succeeded, that to the world it should appear so. The letter that he wrote to the president on the subject has not been published, but his lordship in reply says, "I am sorry that the idle attempt on my house has given your lordship so much pain. By a letter which I wrote your lordship last night, you will see my sense of it. The people loitered at Essich for some hours to taste my mutation in broad daylight, by which means they are all known, but

let them do no more harm, and I freely forgive them; only I wish they would send back the poor gardener and weaver their things, and if they do not send the tenant back his cattle, I must pay for them. The poor fellow that was wounded in the foot showed so much resolution, that without asking him any questions, I caused dress his wounds, and sent him to the place he chose to be at, with a protection for himself and landlord. There is advice that the second transport of British troops from Flanders is arrived at Newcastle, so that a vast number of forces will immediately be poured into Scotland, the consequence whereof to many an unthinking man I very much dread.”*

Lovat was by this time reduced to greater perplexity than ever, Macdonald and Macleod had failed him, and in place of sending their men to join with his at the Corryarrak, and marching to the assistance of Charles, they were coming direct to the aid of the president and lord Loudon. In this extremity his secretary, Hugh Fraser, was despatched to Holyrood to apologize to Charles, to assure him that it was Lovat's intention to have sent him a body of four or five thousand men, at the head of which he hoped to have seen him in person at Edinburgh, but “from some people not having acted up to their engagements,” he was unable to raise such a number of men, and being old and infirm, was resolved to stay at home; that however, he meant to send him the clan Fraser, under the command of his son, which he hoped would be accepted, as a stronger proof of his attachment than if he had come himself. Charles, when this message was delivered to him, said it was well, and secretary Murray urged him by a letter to persevere in his good intentions, and to send the men immediately.

Lovat was now labouring with the idea of securing his estate, in case of Charles' failure, by remaining at home, while his son and his clan were made to exert themselves to the utmost in forwarding the rebellion; and, artfully attempting to make the president an assistant to him in carrying it through, he wrote a long and flattering letter to him, in which he disclaims the attack upon Culloden house, and even offers to assist in making

* Culloden Papers, pp. 231, 232.

up his loss. "My dear lord," he begins, "the generous and moderate way that your lordship writes of that base, barbarous, inhuman, and distracted attempt of the Stratherrick men at Culloden, rather augments my trouble of mind than diminishes it, for I could never imagine that any man that had the honour to know your lordship or to hear of you, should be so villanous and unnatural as to hurt your lordship or the meanest person belonging to your lordship, since your goodness and liberality to mankind in distress is as well known as your name and employment, so that those that acted this villanous attempt and plunder has been ruffians, without the fear of God or man, and they will have what they deserve some day or other.

"If unhappy Foyers has been there, which I hardly can believe, he has been strangely imposed upon by the greedy subtle rogues that were with him, for he is naturally a weak man; but though he was never so weak, it is a surprising thing that Foyers, whose grandmother was a daughter to Culloden, and your lordship's grand aunt, should go and be witness to such a barbarity acted against your lordship and against your people, it is hardly credible. I can freely declare upon honour and conscience, that I never heard Foyers speak disrespectfully of your lordship, and this year or two I don't remember to hear him mention your name, so that I cannot comprehend what madness possessed him, if he was there. I sent your lordship's letter to Gortuleg, and desired he would communicate it to my son, and that they would seriously reflect on the horrid barbarity of this action, and that they would order immediately to send back all the plunder that remained of what they took away. I ordered particularly Gortuleg to send back all your lordship's sheep that could be had, that I would give double the value of them rather than that your lordship should want them. I am very much persuaded that my son and Gortuleg will use their utmost endeavours to see what they can find out of the plunder sent back; and if your lordship's sheep cannot be had, I have about a hundred good fat wedders, and I shall divide them with your lordship with pleasure, and send you the half of them if you will be so good as accept of them, and, as they say in the Highlands, 'good my common,' for I owe more obligations to your lordship and to your family than all the sheep,

oxen, cows, and horses that ever I had were worth. I did not know that there were oxen stolen lately from your lordship from Bunchrew, till I got your lordship's letter last night. That thievish action has certainly been done by the Urquhart and Glenmorrison men, who stole your lordship's oxen before, that were tracked by your own servants and by my tenants, and got back. This country is in a very bad situation, with bad neighbours, both to the south, and north, and west; and in such troublesome times as we have, the rogues think it is their harvest to plunder and steal, and give themselves loose reins. This last fortnight my cousin, William Struie's uncle, that is married to Kilbokie's daughter, and who is a very honest man, and she a good woman, had twenty-five cows stolen from him. The country went upon the track, and went into Lochaber, into Brae Lochaber, and to Rennach, and came up with the thieves in my lord Breadalbin's forest of Glenorchy, a much longer way from this than Edinburgh is. The thieves upon seeing the party that pursued them, abandoned the cattle and ran off, and William brought home his cattle, but had almost died, and all that was with him, of fatigue, cold, and hunger; but indeed it was the best followed track that ever I heard of in any country. You see, my lord, how loose the whole country and Highlands is, when four villains durst come a hundred miles and take up the best cattle they could find in this country, for they think there is no law, and that makes them so insolent. I pity all honest men that are subject to the insults of these villains.

"I beg your lordship's pardon for this digression, and I now beg leave to answer the best way I can the most kind and obliging letter that your lordship did me the honour to write me yesterday, for which I give you a million of thanks. It is impossible for me to express the grateful sense I have of the vast concern that your lordship has, and always had, for my family. I pray God reward you for it, since I cannot. Your lordship must own that my present troublesome situation is to be regretted; for you cannot but remember, that I was all the summer fully determined to go abroad for four or five years to recover my health and the use of my limbs, and to pay all my debts, that I might leave the best estate in this shire free from all incumbrances to my son, and this prince's landing in the

West Highlands was as great a surprise to me as it was to any man in Scotland. But who can prevent accidents or the designs of Providence? It is certain, that what he has done since he landed seems rather to be a miracle than the effects of men's heads or hands, and how far that favourable providence may follow him, or conduct him, God alone knows, for he seems at present in a fair and probable way of succeeding; for those of his party have quite different accounts from those that your lordship has, and their faith directly opposite to yours; and I can assure your lordship, without any party view or influence, that those that are resolved to stand by him are much more numerous than your lordship imagines, and they flatter themselves that they will have succours from France and Spain of men, money, and arms. So, as I told your lordship before, he must be a very real prophet that can tell what side will gain or lose, and that makes every person go to the side that they love best. It is certain that almost all the Highlanders in Scotland love the pretender and his interest more than they do the interest of the present government; and if he be assisted by the English friends of the pretender, and by a foreign force, he believes he will succeed in his enterprise. But I do solemnly declare to your lordship, that nothing ever vexed my soul so much as my son's resolution to go and join the prince, and venture his person with him; and this mad resolution struck him in the head as soon as he heard of the prince's landing; and after what Macleod said to him, and what Gortuleg said to him, and what myself said to him, I know by his answers to Macleod, Gortuleg, and me, that all the creation will not keep him from going to live and die with that prince. I refer it to your lordship, who has a true sense of the danger of my family by his going out, what a load and weight of grief must be upon my soul to see my son, myself, and my family, in such danger and jeopardy. But I cannot help it; I must submit to the will of God, and there I must leave it. I sent your lordship's last letter with a clever man to travel all night, that he might deliver it to Gortuleg as soon as possible, to whom I wrote the strongest exhortations to entreat of him to use all his credit and good sense with my son to dissuade him from his very rash and inconsiderate resolutions; and for my part, as my son only

smiles and laughs at me when I make strong remonstrances to him against his resolutions, I am resolved never to write or open my mouth to him upon that subject: and as God Almighty has at many times wonderfully delivered me out of many dangers and difficulties by land and sea, I throw myself on his divine providence, and trust myself entirely to it; for if God in his providence save my estate, I do not give three halfpence for my life, for it is but wearisome to me, and full of troubles.

“ I beg, my lord, that you may not be in the least apprehensive that any of those rogues, or any in my country, go and disturb your tenants; for I solemnly swear to Gortuleg, that if any villain or rascal of my country durst presume to hurt or disturb any of your lordship’s tenants, I would go personally, though carried in a litter, and see them seized and hanged. So, my dear lord, I beg you may have no apprehension that any of your tenants will meet with disturbance as long as I live in this country, and I hope that any son that represents me will follow my example; so let monarchies, governments, and commonwealths take up fits of revolutions and wars, for God-sake, my dear lord, let us live in good friendship and peace together. This is my sincere wish and desire, since it is impossible for me to forget the obligations I owe your lordship and your family, for which reason you shall always find me your affectionate cousin, and faithful slave, Lovat.”*

This is certainly one of the most extraordinary letters to be found on record, and points out the character of Lovat, and the miserable state of the Highlands, more distinctly than any comment possibly can. Lovat, indeed, could write, say, or swear any thing that he imagined would serve his purpose. This son, of whom he had such complaints for disobedience, was in every point of view exemplary for submission and docility, and was doing all that he did in compliance with the commands of his father, and in direct opposition to his own better judgment; and the greedy, subtle rogues, and rascals, and barbarians, against whom he rails so bitterly, durst not, according to his own showing, presume to disturb any body without his authority, since he had the power and the will, if they did so, to

* Culloden Papers, pp. 233, 234.

have them seized and hanged. But he was determined to have the president, whose generous disposition he was well acquainted with, brought to commit himself in the way of advice, so as that he might have something like his permission for the deceitful part he was now performing. That such was his motive, appears still more evidently from a letter written a week after, wherein he repeats his complaint of the disobedience of his son:—"For my part," says he, "my lord, I solemnly protest to your lordship, that since my son was determined on that mad, foolish project, I never spoke to him about it, but he always flew in my face like a wild cat, and any thing I got done with him was by Gortuleg's means, who has a great deal to say with him. I have earnestly begged of Gortuleg within this hour to use all his interest with him not to go away this week, for God knows what a week may produce."

The earl of Cromarty was performing, at the same time, a part exactly similar to Lovat, and it had been concerted between them and others of the Highland chieftains to march into the country, of Assint, and raise the people for the pretender by force of arms.* The want of co-operation, however, on the part

* Cromarty was playing the same game with the lord president as the lord of Lovat, and though he was greatly inferior, the following specimen of his style may not be unacceptable to the reader:—"My lord, when I saw your lordship last at Culodden, we then concerted that I should look out for some men to have them in raddiness when there might be occasion for them. In consequence of which, I spoke to several of my friends, to know what I might expect from them; and to others at a distance, I wrote and used such arguments as I thought might be most apt to excecet them to come into measures. I am sorry to hear that I am misrepresented, and that my endeavours, when I meant them for the best, are misconstrued by some, tho' I hope your lordship, who knows my sentiments of these matters, will give no credit to idle storys; on the contrary, I would expect you wou'd contradict them, and take my parte against any that out of ill will endeavour to asperce me. But I believe there is none at this time free of being in some shape or other misrepresented—I must take my share in the general calamity. When I see your lordship I will tell you a great deal more of this than I can trouble you with in a letter. In the mean time I beg leave in this way to assure you, that I am, with great truth, my lord," &c.

"To the Lord President. Tarbert, 19th October, 1745."

Culloden Papers, p. 232.

of Macdonald and Macleod of Skye, and the companies that were so rapidly drawing together by lord Loudon, put an end to that project; and Lovat, without any scruple, claims the whole merit of preventing it:—"As I was very much concerned," he writes, "for Genias and for my dear cousin, your niece, his lady, I spoke to Gortuleg in very strong terms to tell my son, that if he sent a man with Barrisdale on that expedition, I would never speak a word to him while I lived. So as he has a great friendship himself for his cousin, the lady Genias, he followed Gortuleg's advice, which broke and blew up that project. I am very glad in being anywise instrumental in overturning such a base and inhuman design.

"I wrote to your lordship some time ago, to beg of you, as you wished me well, to give me your advice how to behave in the distracted situation that this country is in. If I knew where to go in safety out of it, I certainly would not stay in it; and I am so unlucky with the weakness and pain in my knees and limbs, that I am not able to mount a horseback, nor walk the length of your garden, without assistance, if it was to save my life. But if I was able to ride I would be in no pain, for I could go and visit all my friends in the shires of Murray, Ross, Sutherland, and Caithness, where I never was, though I have a great many relations in those countries, and discoursing with different persons every day would divert my melancholy, which is truly heavy upon me at present, and if it increase it will very soon make an end of me. I would go straight to Edinburgh if the Highland army was not there and thereabouts; but since I am fully resolved to have nothing to do with them, I dare not go to Edinburgh, so that my situation is a little perplexed, and I again most earnestly and humbly beg your lordship to give me your advice about it." After again reverting to the obstinacy of his son, which he represents as of the most inveterate kind, he concludes by telling the president, that all the effect of his strong remonstrances to Gortuleg in Stratherrick, "was to get back eight of the cattle" that had been stolen, the rest being killed before the letter arrived, and faithful promises and assurances that "none of his lordship's people should ever after this be molested by those wicked rogues, and that they would

send back as much as could be got together of the things taken out of the gardener and weaver's houses."*

Full of compassion for an old man for whom he had done many kind offices, and whom he saw, from a mistaken notion of his own interest, drawing down inevitable destruction upon his own head; and provoked, perhaps, not a little by such "shilly shally stuff," as he elsewhere denominates it, so often repeated, the lord president at last finding that the master of Lovat, with the better part of the clan, had either marched or were marching to join the rebels, laying aside the familiar manner he had hitherto used with so little real effect, wrote to Lovat on the twenty-ninth of October, the following, in his official character:—"My lord, As I have now the honour of being charged with the public affairs in this part of the kingdom, I can no longer remain a spectator of your lordship's conduct, and see the double game you have played for some time past, without betraying the trust reposed in me, and at once risking my reputation, and the fidelity I owe to his majesty as a good subject. Your lordship's actions now discover evidently your inclinations, and leave us no further in the dark about what side you are to choose in the present unhappy insurrection; you have now so far pulled off the mask, that we can see the mark you aim at, though on former occasions you have had the skill and address to disguise your intentions in matters of far less importance. And, indeed, methinks a little more of your lordship's wonted artifice would not have been amiss, whatever had been your private sentiments with respect to this unnatural rebellion. You should, my lord, have duly considered and estimated the advantages that would arise to your lordship from its success, and balanced them with the risks you run if it should happen to miscarry; and above all things, you should have consulted your own safety, and allowed that the chief place in your system of politics, which I persuade myself would have induced your lordship to have played the game after quite a different manner, and with a much greater degree of caution and policy. But so far has your lordship been from acting with your ordinary finesse and circumspection on this occasion, that you sent away your son

* Culloden Papers, pp. 236, 237.

and the best part of your clan to join the pretender, with as little concern as if no danger had attended such a step; I say sent them away, for we are not to imagine they went of themselves, or would have ventured to take arms without your lordship's concurrence and approbation. This, however, you are pretty sure cannot be easily proved, which I indeed believe may be true. But I cannot think it will be a difficult matter to make it appear, that the whole strain of your lordship's conversation in every company where you have appeared since the pretender's arrival, has tended to pervert the minds of his majesty's subjects, and seduce them from their allegiance; and give me leave to tell you, my lord, even this falls under the construction of treason, and is no less liable to punishment than open rebellion, as I am afraid your lordship will find when once this insurrection is crushed, and the government at leisure to examine into the affair. And I am sorry to tell you, my lord, that I could sooner undertake to plead the cause of any one of these unhappy gentlemen, who are just now actually in arms against his majesty, and I could say more in defence of their conduct than I could say in defence of your lordship's. The duke of Perth, and lord Ogilvy, never qualified, nor did they ever receive the smallest favour from the present government, but on the contrary were both stripped of their titles and honours, and from men of the first quality, reduced to the state of private gentlemen since the revolution, and may both be supposed to act from a principle of resentment, and only took up arms to recover what they thought themselves unjustly deprived of. Lord George Murray never had any place or pension from the public, and was no doubt drawn in by the influence of the marquis of Tullibardine; perhaps touched with pity and commiseration for his eldest brother, who has spent the best part of his life in exile, and undoubtedly upon an allowance much inferior to his dignity. These, and such like apologies, may be offered in defence of most of the leading men in the present rebellion—but what shall I say in favour of you, my lord. You who have flourished under the present happy establishment—you who in the beginning of your days forfeited both your life and fortune, and yet, by the benignity of the government, was not only indulged the liberty of living at home, but even restored

to all you could lay claim to; nay, his majesty's goodness went so far as to employ your lordship in his service, and was pleased to honour you with the command of one of the independent companies that were raised some years ago in the Highlands, which you enjoyed for a very long time, so that both duty and gratitude ought to have influenced your lordship's conduct at this critical juncture, and disposed you to have acted a part quite different from what you have done. But there are some men whom no duty can bind, nor no favour can oblige; and I am afraid, if a timely repentance do not prevent it, your lordship will not unjustly be ranked among that number. You now see, my lord, how unanimous the people of England are against the pretender, and what forces they are mustering to oppose him. The king has ordered home his troops, several noblemen have raised regiments at their own expense, and every county and corporation throughout the kingdom are entering into associations in defence of the present establishment; so that these few unhappy gentlemen who are engaged in this rebellion, will have armies after armies to encounter, and if your lordship entertains any hope of their success, you'll find your mistake when it is too late to amend it. What I would therefore propose to your lordship, as the only expedient left to rescue you from the hazard of a rigorous prosecution, is to recal your son and his men immediately. This step, I am persuaded, would produce several good consequences; for on the one hand, it would prevent many from joining the rebels, who now hang in suspense—and on the other, occasion a great many of those already engaged to desert, and retire to their respective habitations, and perhaps may be the means of crushing the rebellion without farther bloodshed, which would do your lordship a great deal of honour, and such a remarkable piece of service would be amply rewarded by the government. If you shall judge it proper, my lord, to follow this advice, it will give me a great deal of pleasure, as it will contribute to stop the progress of an unhappy civil war, that threatens us with endless calamities; but if your lordship continues obstinate, and will not order your men to disband and return home, I shall be obliged to take you into custody, be the event what it will, and then your lordship will run the risk of having your family extirpate,

as well as other of the Highland chiefs, when the rebellion is once quelled. Now, my lord, I have told you my sentiments pretty freely, and no less out of friendship to your lordship, than duty to the public. I might have advanced many other arguments to induce your lordship to follow my advice, but methinks what I have already said is sufficient, and so I shall," &c.*

Not at all damped by the honest plainness of this letter, Lovat answered it boldly, repeating the tale of his son's obstinacy, boasting of his own means of defence, and of the great services he had formerly performed for the government:—"My dear lord," says he, "I received the honour of your lordship's letter late last night, of yesterday's date, and I own that I never received one like it since I was born; and I give your lordship ten thousand thanks for the kind freedom you use with me in it, for I see by it that for my misfortune in having ane obstinate stubborn son, and ane ungrateful kindred, my family must go to destruction, and I must lose my life in my old age; such usage looks rather like a Turkish or Persian government than like a British. Am I, my lord, the first father that has had ane undutiful and unnatural son, or am I the first father that has made a good estate and saw it destroyed in his own time by the mad foolish actings of ane unnatural son, who prefers his own extravagant fancies to the solid advice of ane affectionate old father? I have seen instances of this in my own time, but I never heard till now that the foolishness of a son would take away the liberty and life of a father that lived peaceably, that was ane honest man and well inclined to the rest of mankind. But I find the longer a man lives the more wonders and extraordinary things he sees.

"Now, my dear lord, I beg leave to tell you my mind freely in my turn. I thank God, I was born with very little fear. In my greatest difficulties by sea and land, and, by God's assistance, I often saved my life by the firmness and stedfastness of my resolutions, and though I have now but a little remains of a life that is clogged with infirmities and pains, yet, by God's help, I am resolved to preserve it as long as I can; and

though my son should go away with the young people of his clan, yet I'll have six hundred brave Frasers at home, many of them about my own age, that will lose the last drop of their blood to preserve my person. Since I am as peaceable a subject as any in the kingdom, and as ready to pay the king's taxes, and do every thing else that a faithful subject ought to do, I know no law or reason why my person should not be in safety.

"I did use and will use the strongest arguments that my reason can suggest to me with my cousin Gortuleg, that he may repeat them to my son; and if they should not prevail, is it just or reasonable that I should be punished for the faults of my son?

"Now, my dear lord, as to the civil war that occasions my misfortune, and in which almost the whole kingdom is involved in one side or other, I humbly think that men should be moderate on both sides, since it is morally impossible to know the event. For thousands, nay, tens of thousands on both sides are positive that their own party will carry; and suppose that this Highland army should be utterly defeat, and that the government should carry all in triumph, no man can think that any king upon the throne would destroy so many ancient good families that are engaged in it.

"King William was as great a king, as to his knowledge of government and politics, as sat for many hundred years on the throne of England; and when his general, who was one of the best in Europe, was defeat and forced to run to save his life, and all his army routed at Killicrankie by a handful of Highlanders, not full two thousand in number, king William was so far from desiring to extirpate them, that he sent the late earl of Breadalbine with twenty-five thousand pounds sterling, as a compliment to them, and sought no other return nor condition from them but that they should live peaceably at home. My lord, we cannot imagine that though the Highlanders should be defeat at this time, and most of them killed, and the government full master of the kingdom, that any administration would be so cruel as to endeavour to extirpate the whole remains of the Highlanders. Besides, it would be a dangerous enterprize, which neither we nor our children would see

at an end; I pray God we may never see such a scene in our country as subjects killing and destroying their fellow subjects.

“As your lordship’s family and mine has always lived in great friendship together, and that I have not only a particular experience of your lordship’s good friendship and great service done me, but likewise of the goodness and friendship of your worthy father towards me, and of your brave brother who was my intimate and faithful friend, your lordship may be assured that while there is a drop of blood within me, I will be a most faithful friend and servant to your lordship’s family and person; and who knows but providence may give me an occasion to show the gratitude I owe to your lordship and to your worthy father and brother.

“I hope your lordship has not forgot that in the year 1715, when the rebellion was great and dangerous, I did more effectual good service to this present government than any lord baron in Britain, for which I had three letters of thanks from the late king, my good master, and [was] a favourite of his present majesty, when he was prince of Wales and regent, and received marks of his favour. I think the remembrance of that should have some regard for an old infirm man; and it is my belief that I will be still safe under the protection of my lord president, while he has the full power and command of the north of Scotland. I beg leave to assure your lordship of my affectionate respects, in which Gortuleg joins me, and I ever am, with zeal and attachment, your lordship’s most affectionate cousin and most obedient faithful humble servant,”* &c. &c.

The situation of Lovat was now indeed pitiable; he was naturally attached to the pretender, and, notwithstanding the kindness of the government, had been in all the plots that during his lifetime had been formed against it. He had given his letter to Charles and his word to all the rebel chieftains, which a special messenger from Charles and the chiefs who were along with him had just arrived to request him to fulfil. The master of Lovat, unquestionably at the instigation of his father, assisted by colonel Macdonald, a

* Culloden Papers, pp. 238, 239.

younger son of Glengary, and Macdonald of Barisdale, had attempted by force to raise the people of Urquhart, belonging to the laird of Grant, who, being firm in the interest of the government, had assembled five hundred men, and was ready to revenge the insult upon the Frasers of Stratherrick, while lord Loudon at Inverness was accumulating rapidly an army superior to what Lovat could bring into the field; he was therefore under the necessity for the present of yielding a little, and, upon the president giving a verbal explanation of his letter to Lovat by Mr. Donald Fraser, his chaplain, wrote again to the president, repeating all his former excuses, and adding, " Since I have not strength to mount a horseback and leave the country, I am resolved to live quietly and peaceably in my own house, and be a faithful subject to the king, and observe and obey the laws of my country. And to let your lordship farther see my sincere resolutions of encouraging no disturbance, but on the contrary, to keep the country peaceable and loyal, I intend to list two hundred of my men that stays at home, and put pretty gentlemen at their head, that they may watch and guard the country from all robbers, and thieves, and loose men that come from the Highland army, and to seize them and send them to Inverness. By this project I hope to contribute to the preservation and peace of the country as much as any two independent companies that are at Inverness. I hope this will not be disagreeable to your lordship, that wishes me and my country well. I know your lordship has, and will have, more power than what would save me and ten families like mine, otherwise the king and government will be most ingrateful to you, for your lordship has done more service to king George and to his family and government than if he had an army of five thousand men in the north. For if it was not for your lordship's great zeal and extraordinary and unheard of activity and fatigue, the venture prince would have had ten thousand men before he went south, instead of two, and with that number would have marched straight to London without any opposition. So that the king owes more to your lordship on this occasion than to any subject in Britain; and I do assure your lordship, that the king's enemies are very sensible of it, and that you are more obnoxious to their

hatred and revenge than any man on earth. I wish with all my soul that you may always escape the fury of their resentment till you are happily and gloriously out of their reach, for my good wishes will attend your lordship wherever you are;* and I have firm hope that your lordship who has served the government in the north, by bringing in so many brave families to serve the king, that you would be so good as to save one family that was always friends to yours, and an old infirm man whom your lordship saw behave well enough in the king's service against the rebels. I will truly expect this great mark of your lordship's friendship, and I ever am, in all conditions of life, with unalterable attachment, gratitude, and respect, your lordship's most affectionate cousin and most faithful humble servant,"† &c. &c.

This proposal of keeping up an array of two hundred men, was no doubt intended by Lovat as a blind whereby he should be able to send re-enforcements at pleasure to the rebels, or to take advantage of what might occur at hand; but the president in return observed, "to me it appears your lordship does not at present see the natural and necessary consequences of things with the same clearness of sight as heretofore: for example, to obviate all jealousy of your lordship's conduct, you propose to keep a guard of two hundred men to watch and preserve the peace of the country. Now, though this, were the clan to remain quiet at home, would be a very commendable purpose, and what the government would very readily bear the expense of, yet I submit it to your lordship, whether if the rest of the clan go into rebellion, that guard can be looked on with a favourable eye by the commanders of his majesty's troops in this country, and whether I should not draw even myself under suspicion if I pretended to justify the keeping them afoot."† Finding himself seen through in this proposal, Lovat made another of the same kind, but of a somewhat more modest tenor, still professing sorrow for the conduct of his son, and

* Notwithstanding of these good wishes, it was not long after this when Lovat sent a messenger to Charles, specially requesting him to send, if he did not come himself, a body of troops to the north, for the purpose of securing the lord president.—Trial of Lord Lovat, &c. &c.

† Culloden Papers, pp. 241, 242.

† Ibid. p. 243.

his determination to live in peace; but in the meantime his clan was marching south, many of them being forced out of their beds for that purpose, which induced lord Loudon, on Tuesday the tenth of December, to march eight hundred men to his lordship's seat of Castle Downie, to take some further security for his lordship's behaving in a dutiful and loyal manner. Next day, the eleventh, he was prevailed upon to come into Inverness, and there to live under the eye of the earl till his people should deliver up their arms, which he engaged they would do in the course of three days. His son, and some of the mad young men of his name, he acknowledged, had already gone to Perth, but as there was no evidence before the earl that Lovat was accessory to the treason of his son, of which he was perpetually complaining, and as committing to prison, upon suspicion, a man so aged and seemingly so infirm, would have had an appearance of cruelty, it was resolved to deal gently with him, and await the delivery of the arms. When the time arrived, however, no arms were delivered. Apologies were offered, and abundance of promises made, from day to day, for the better half of a week, when, finding himself duped, lord Loudon placed sentinels upon the house where Lovat was lodged, intending next day to commit him to the castle. Lovat, however, made his escape during the night by a back passage which had not been secured, no one dreaming that in his state of health an escape would have been attempted.*

While the friends of Charles were thus ineffectually exerting themselves, being baffled by the energies of one distinguished individual in the north, he was himself with his council equally busy, and upon the whole equally unsuccessful in Edinburgh. Marauding parties scoured the country in all directions in search of arms, and as there was no force to oppose them, they carried off all they had the good fortune to fall in with. They even wandered as far west as Douglas, where they found some small pieces of cannon, and thirty stand of arms, which, taking a circuit by Hamilton, and taking up what they found there, they carried safe into Edinburgh.

As a measure of finance they summoned, on the thirtieth of

* Culloden Papers, p. 461.

September, the magistrates of all the royal boroughs in Scotland to repair to Holyrood house, to have there the contribution to be paid by each borough respectively ascertained, which was to be done in proportion to the duties of excise arising out of the borough, for the repayment of which contribution the said duty was to be assigned. This they were ordered to do under the pain of rebellion. The collectors of the land tax for all the shires in Scotland, and the collectors and comptrollers of customs, were the same day ordered by letters to repair to Holyrood house, to pay in whatever balance was in their hands, or upon their books, for the use of his royal highness the prince, as he was styled, all under the pain of high treason, and military execution to be done against their persons and effects. With these demands great numbers found themselves obliged to comply, having no means of protection. All the goods in the customhouse at Leith were sold out at the same time for the use of the pretender.

Having thus the power of all the towns in Scotland, it was strongly urged upon Charles to think of nothing farther for the present than enjoying the possession he had so easily obtained, and by every possible mean securing himself in the government of his ancient kingdom, and preparing for defence against the armies from England that would most certainly be sent against him. As the first and most necessary step in his progress, it was advised that he should at once declare the Union dissolved, as having been carried into effect by a cabal of Scottish peers, bought over to the English interest by the force of gold, contrary to the declared wishes of the whole nation, by all ranks of which the treaty was still held in abhorrence. Such a step, it was alleged, would be highly gratifying to all Scotchmen, and the mere consideration of being freed from the English yoke would produce an universal feeling in his favour. In this case too it was urged, that the courts of France and Spain would find their interest in maintaining him on the throne, and would exert themselves to the utmost to prevent the kingdom from again falling under the power of England.

The Union, other of his counsellors insisted, being an act passed during the usurpation, and highly injurious to the house of Stuart, was necessarily void, and it became the imperious duty of

Charles to issue writs for the immediate meeting of the Scottish parliament. This, while it would have been highly gratifying to the people, would have enabled him to impose taxes for the support of his dignity at least with the appearance of law and justice, and would have saved him the disagreeable necessity of supplying himself by military contributions imposed by his own sole authority, which at once alarmed the fears, and awakened the jealousies of all reflecting minds, by bringing before them the worst part of the characters of his predecessors, whose mistakes, it might have been hoped, he would endeavour to avoid, and from whose misfortunes he ought to have reaped abundantly the fruits of practical wisdom. Charles, however, was as great a stickler for prerogative as any of his fathers had been, and though from the cradle nursed by adversity, seems to have imbibed little of that prudence which she has been supposed peculiarly skilful in teaching. He boasted of his lineage and his ancient kingdom of Scotland, but he regarded that kingdom no farther than as a step to the throne of England, and he was fearful of doing any thing that might prejudice him in the eyes of that people, in consequence of which the soundest advice that he ever appears to have received was not attended to. Day after day was consumed in bustling but useless activity, till after long and arduous deliberation, he prevailed upon the chiefs to agree upon marching into the richer kingdom, which from the first had been the principal object of his ambition.

While these deliberations which were long, desultory, and violent—for the counsellors often differed in opinion with one another, and even with Charles—were going on, and while the clans were waiting upon re-enforcements from the north, the city of Edinburgh was amused with various proclamations, viz. one for encouraging such as were disabled by age and infirmity from serving Charles personally, to assist him with money, horses, and arms, which they were directed to send to his secretary, John Murray, wherever he might be—a second forbidding the peers and commoners, who were summoned to parliament on the seventeenth of the month, to meet in obedience to that summons, or if they did meet, forbidding any regard to be had to their resolutions. Two long and laboured manifestoes were

also published, superscribed James Rex, the one for Scotland, and the other for England, as also "A Declaration and Admonitory Letter from the Highland army."*

The people were also amused with the arrival at Holyrood of a French grandee, by some styled M. d'Aiguille, by some M. du Boyer, and by others the marquis de Equillez, who was there dignified with the title of ambassador, and brought despatches from the French court. Charles also had a levee every morning of his officers and others who favoured his cause, with the principal of whom he frequently dined, after which he generally rode out with his lifeguards to Duddingstone, where his army was encamped. In the evening he returned to Holyrood house, where he received such ladies as came to his drawing-room, after which he supped in public, and had generally music and a ball afterwards.

Several ships in the mean time arrived on the coast of Scotland with arms, ammunition, &c. &c. Two of these arrived at Montrose, one on the seventh, and the other towards the end of October; and two at Stonehaven, about the middle of that month. To facilitate the transportation of the cargoes of these ships, and to shorten the march of the Highlanders from the north, a passage over the Forth was secured at Alloa, by raising batteries, and planting cannon on each side of the river; but the principal part of their military operations were directed against the castle, which, the moment the town was taken possession of by the rebels, hung out its flag, and adopted all the precautions necessary for standing a siege.

Anxious to detain the rebels from marching into England till the surprise and alarm of the battle of Gladsmuir had had time to subside, general Guest, in order to decoy them into a siege, wrote letters to the secretary of state, acquainting him that the stock of provisions in the castle was small, and that if he did not obtain immediate relief he would be under the necessity of surrendering, and requesting that the troops to relieve him might be sent by Berwick, as the shortest and the quickest conveyance. These letters were intended to fall into the hands of the rebels, but he sent others by sea with an

* Scots Magazine for 1745.

account of the real state of the garrison, which was well provided, and of the deception which he was practising upon the rebels.*

Encouraged by these statements of scarcity in the garrison, the rebels, on the night of the twenty-ninth of September, took possession of all the avenues leading to the castle, and on the first of October, about eleven o'clock in the forenoon, they began to dig a trench across the street, a little below the reservoir: about three in the afternoon the garrison fired on them with small arms, killed three of the rebels, and wounded their commanding officer, upon which they discontinued their operations. Some great guns were fired upon the house occupied by the rebels, but without doing any particular damage to the town. On the fourth, the garrison, under favour of a great fire from the half moon, made a trench across the Castlehill, half way between the gate and the houses, fourteen feet broad, and sixteen feet deep, and from the parapet made by the earth dug out of the trench on the side next the castle, with the fire of two hundred men of the garrison cleared the street. Upon the fifth, by the help of the town's people, they obtained twenty black cattle, a quantity of bread and ale, and water from the reservoir; about five that evening, a considerable detachment of the rebels marched up to the castlehill, to attack the party of the garrison in the trench, who retired into the castle upon their approach, without losing a man. The rebels, attempting to creep up the south side of the hill, had twenty men killed by the cannon from the castle. Charles having upon the second of October, published an order for preventing all communication between the castle and the town, upon pain of death, and great numbers of the rebels having for that purpose been placed in the houses near the castle, general Guest was obliged not only to fire upon them, but to march out and burn these houses to the ground. Thereupon an order for restoring the communication was posted up at the several gates of the town, after which the garrison was plentifully supplied with every thing they stood in need of. Such is the account of this siege given in the London Gazette, which, as it was altogether uninteresting, and

* Home's History of the Rebellion.

had little influence upon the conduct of the enterprise in general, we have given as the shortest.

During this contest with the castle, very few people in Edinburgh or its neighbourhood joined the rebels; but there were several bodies of men came up from the Low Country of the north. Of these, the first that arrived was lord Ogilvy, eldest son of the earl of Airly, and with him a regiment of six hundred men. Most of the officers were of his own family and name. The next was Gordon of Glenbucket, and with him four hundred men, officered in like manner principally by his relations. A few days after arrived lord Pitsligo, attended by a great many gentlemen from the counties of Aberdeen and Banff, who, with their servants well armed and mounted, formed a body of cavalry, that served under his command. He also brought with him six companies of infantry, which were called Pitsligo's foot. Lord Pitsligo had but a moderate fortune, but he had among his neighbours the character of a wise and prudent politician, and they accordingly put themselves under his command, supposing they could not follow a safer guide. Others were still expected from the north, but after waiting till the end of October, Charles began to have little hope of the Macdonalds and the Macleods of Skye, whom he found, says one of his officers, to be "artfully detained by their great director, Mr. Duncan Forbes of Culloden."* Lord Lovat's Frasers also being very tardy, he resolved to lose no more time, but to march directly into England, where he entertained great hopes of an insurrection of the people, and of an invasion from France. Orders were accordingly issued in the end of October, to call in all their parties, to collect their whole force, and to be ready for the march at a moment's notice.

Lord Strathallan was appointed to the chief command in Scotland, so soon as Charles should enter England, and he was directed to remain at Perth with some gentlemen in that neighbourhood who had joined the rebel standard, and, with a few French and Irish officers and their men, to receive the succours that were expected from France, from the Highlands, and from the Low Country of the north, where many people

* Culloden Papers, vol. ii. p. 493.

were known to be well-affected to the cause, and were already in considerable numbers beginning to take arms. To hearten the chiefs, many of whom were utterly averse to enter England, Charles pretended to have letters from several English lords, assuring him that he should find them in arms on his arrival, ready to join him with a considerable force, and on the last day of October, with his guards, and some of the clan regiments, he left Edinburgh, and took up his quarters at Pinkie. Next day he proceeded to Dalkeith house, where he was joined by the clan Macpherson, under Clunie their chief, by Menzies of Shien and some other Highlanders, amounting to nearly one thousand men.* This was the last re-enforcement that arrived before the march into England, but the army was made to believe that Macdonald and Macleod of Skye, Fraser of Lovat, &c. were upon the road, and would join them on the border with several thousands of their people.

* *Memoirs of the Rebellion*, by the Chevalier de Johnstone, p. 53

THE HISTORY OF SCOTLAND.

Book X.

1745—1746.

Charles marches for England—Preparations made there for his reception—Meeting of parliament—General Wade is sent down towards the Scottish border—Charles reaches Kelso—Despatches a messenger before him with a proclamation—Enters England at Longtown—Summons Carlisle—Carlisle surrenders, and James is there proclaimed king—Inactivity of the rebels, and dissensions among their leaders—Proceed at length to Penrith—To Kendal—To Lancaster—To Preston—To Wigan—To Manchester—To Macclesfield—To Derby—Difficulty of their situation—The chiefs resolve to return to Scotland—Fall back on Ashbourn—Leck—Macclesfield—Manchester—Wigan—Preston—Kendal—Shap—Penrith—Skirmish at Clifton—Rebels reach Carlisle and re-enter Scotland—Carlisle is besieged and taken by the duke of Cumberland—Distraction of the government by false alarms, &c. &c.—King's birthday at Perth—General Bluckney attacks the rebels attempting to reach the Pretender from the north—Glengyle attacked in Argyleshire—Public functionaries return to Edinburgh—Preparations made for the safety of that city—Preparations at Glasgow, &c.—Exertions of the rebels in the north—Loss of the Fox man of war—Arrival of Lord John Drummond with troops from France—Mungo of Culcainn and Macleod of Skye surprised by Lord Lewis Gordon—Accumulation of rebels at Perth—Begin to fortify themselves there—Charles continues his route north—Assesses the town of Dumfries—Arrives at Glasgow, which he threatens to burn—Levies a heavy assessment on that city—The city of Edinburgh prepares for a siege—General Hawley comes to their assistance—Charles leaves Glasgow—Lodges at Shawfield—Reaches Bannockburn—Skirmish at Alloa, &c.—Stirling Castle besieged—Hawley marches toward Falkirk—Battle of Falkirk—Singular incidents in the rebel army—Duke of Cumberland ordered for Scotland—Arrives at Holyrood house—Proceeds in quest of the rebels towards Linlithgow—Charles raises the siege of Stirling—Blows up the church of St. Ninians, and retreats towards Inverness, &c. &c.

CHARLES having completed his arrangements, marched his army for England in three divisions, with the last of which he himself left Dalkeith on the third of November, taking the route for Kelso. The other two divisions marched, the one by Peebles and Moffat, the other by Lauder, Selkirk, and Hawick. The three divisions did not in all amount to full six thousand men. The foot were about five thousand, of which four thou-

sand were real Highlanders. The cavalry were about five hundred, and consisted of two troops of horse guards, lord Pitsligo, and lord Strathallan's horse, lord Kilmarnock's horse grenadiers, and a troop of light horse. The foot were divided into thirteen regiments, all of whom wore the Highland garb, and the regiments formed of the clans, which were by far the greater part of them, had in every company two captains, two lieutenants, and two ensigns. The captain's pay was two shillings and sixpence per diem, the lieutenant's two shillings, the ensign's one shilling and sixpence, and every private man's sixpence. But every regiment had a front rank, consisting of persons who called themselves gentlemen, who were better armed than those in the rear ranks, and had all of them targets; the pay of this class was one shilling per day. The clan regiments, according to the custom of clanship, were each commanded by the chief, or in his absence by the nearest of kin, whoever he was, and for his guard in the day of battle every company furnished two of its best men. In the choice of this guard, however, consanguinity was a principal consideration, and the chief, whose post was the centre of the regiment, close by the colours, was generally found between two brothers, or two cousins german. The train of artillery, which completed this host of invaders, consisted of the six fieldpieces taken at Gladsmuir, and of a few pieces of a larger calibre, brought over with the late convoy from France, making in all thirteen pieces of cannon.*

Such were the numbers, and such the array of an army, not as heretofore intended to burn a few towns, and carry off the cattle from a few counties, but to overturn the established succession to the throne, and set aside those laws connected with it, which had been enacted in conformity to the will, and acted upon by the people of England for upwards of half a century. The attempt indeed was made, as many before it had been, at a time when it was supposed the strength of that nation was employed abroad, and that it would be impossible to awaken the energies of the peaceably disposed and industrious popula-

* Home's History of the Rebellion, pp. 99, 100.

tion, which had long been unaccustomed to the noise of the warrior and the tumult of war, till the object of the invasion had been accomplished, and these energies, bound up in the iron bands of despotism, laid for ever asleep. The clamour of faction too, and the violence of party spirit, had been mistaken the one for the voice of the nation, and the other for the offspring of judgment and sober reflection, which led to the most extravagant hopes of a hearty welcome, and cordial co-operation on the part of the people.

In these expectations, however, Charles and his counsellors were most wofully disappointed. The clamours of faction, and the exaggerations of party spirit, merged at once into the terrific voice of an united and indignant people; the pursuits of peaceful industry gave place to—or were only more eagerly plied for the purpose of promoting—the exercise of arms, and providing all the material of war; and the whole military force of the nation had already been recalled from the continent, and had either arrived, or was on the point of arriving on the shores of England.

His majesty, who, as we have seen, went to Hanover in the month of May, returned on the thirty-first of August, and every precaution was adopted for securing the public tranquillity. A letter on the fifth was by his majesty's orders transmitted by the secretary of state to the lord mayor of London, informing him that the son of the pretender had set up the standard of rebellion in Scotland, where a number of persons had joined him, and recommending the exercise of care and vigilance for preserving the tranquillity of the metropolis, and on the seventh a proclamation was issued for putting the laws in execution against papists, nonjurors, &c. and commanding all papists to depart from the cities of London and Westminster, and from within ten miles of the same; for confining papists, and reputed papists, to their habitations, and for putting in strict execution the laws against riots and rioters. Two thousand Swiss and Dutch troops were landed at the Tower on the twenty-first. These were part of the troops demanded from the states-general; the remainder, with their commander, prince Maurice, landed shortly after. Three battalions of the guards,

and seven regiments of foot, landed on the twenty-third, and with a train of artillery drawn from the tower, were immediately ordered to the north.*

Addresses breathing the most ardent loyalty were in the meantime pouring in from every city, county, college, and corporation in the kingdom. The merchants of London, to the number of four hundred, in one hundred and forty coaches, proceeded from the Royal Exchange to Kensington with a loyal address, and were most graciously received. Indeed no body of men in the kingdom gave proofs of more steady loyalty than the merchants of London. It was but a few days after this, when the report of Cope's defeat cast a general gloom even over the metropolis of Britain, that an agreement was signed for the support of the public credit by upwards of fifteen hundred of the principal of them, who agreed to take in payment any number of bank notes that might be offered, and to endeavour to make all their payments in the same manner.†

This simultaneous burst of good feeling showed in a striking manner the sentiments of what might be termed the influential part of the nation, and was a certain indication that whatever individuals might have foolishly said, or more foolishly written, the unfortunate Stuart had no hold of the affections of the English people, the more intellectual part of whom seem to have been united against him as one man, and to have exerted themselves with uncommon diligence to preserve the populace from the influence of his flattering manifestoes and the sophisms of the few designing or deluded individuals who had adopted his cause. The bishops in particular took the alarm on the instant, and not only preached themselves in behalf of loyalty and good order, but wrote letters to all the clergy of their diocesses to do the same.

To particularize these efforts of the dignitaries of the English church, so honourable to themselves and so useful to the community, does not lie within our design, nor will our limits admit of it, but it would be unjust to pass them over in silence.

* London and Scots Magazines for 1745.

† London Magazine for 1745. Marchant's History of the Rebellion, p. 67.

As a specimen of the whole, the following are extracted from those of the bishops of London and Winchester. The former of these, after stating the fact that there was a rebellion actually on foot, and enumerating shortly the probable results should it prove successful, proceeds thus:—"Upon these considerations I have thought it my duty at this time to entreat you in a particular manner. First, To put up your earnest prayers to Almighty God for success to his majesty's arms against this bold and traitorous attempt, and for averting from us so sore and heavy a judgment, and then to convince the people committed to your care how nearly it concerns them to pray heartily for his aid and protection at this needful time, if they have any value for their religion and liberty.

' Secondly, To raise in your people a just abhorrence of popery, by setting yourself on this occasion to show in your discourses from the pulpit the grossness and perniciousness of the manifold errors of the church of Rome, and how inconsistent they are with the plain, pure, and uncorrupted doctrines of Christianity, as contained in the holy scriptures, and received and established in this nation.

" Thirdly, To guard your people against a delusion that has been usually practised by the enemy as oft as designs of this kind have been set on foot; namely, that the person whose cause they espouse will content himself with the exercise of his own religion and with the enjoyment of such a prerogative as the constitution allows, and that no change in our religion will be attempted, nor any of the laws broken through by which it is now secured. To arm your people against this delusion, you cannot use a more effectual way than to revive upon their minds the state of things in the reign of James II., particularly the great progress that was made in so short a time towards the introducing of popery, and the endeavours that were made by him to bring about a parliamentary repeal of the laws against it, and, when that failed, his setting them aside by the groundless claim of a dispensing power. And all this after the most solemn declaration at his coming to the crown, that he would make it his endeavour to preserve the government both in church and state as established by law. The declaration of

which this is a part, was made openly in council, and then printed and dispersed with his majesty's leave.

"These are the things which I earnestly recommend to the attention of my clergy at this time, and I do it with the greater earnestness because I am very sensible how much pains have been taken of late years, not only to abate the just fears and apprehensions the people formerly had from a popish government, but even to bring some among us to entertain too favourable thoughts of popery itself."*

Alluding to the delusion that was then and has at all other times been attempted by the minions of superstition and tyranny to be practised upon slumbering protestants, the bishop of Winchester observed, in a letter to the clergy of his diocese, "If such promises are now made, you can inform your people they come from one who, supposing him disposed to keep them, which we have no reason to suppose, yet is devoted to a religion, which not only sets him free from all the ties of faith and truth towards such as we are, but as soon as the proper time shall come, and the blow may be given with safety, makes it his absolute duty, without which he shall neither enjoy earth nor heaven, to break through them all, and lay waste the religious and civil rights of that wretched people who can be unmindful of what has before happened in two former popish reigns, remarkable for the strongest promises of security, and the most scandalous violations of these promises, and be again deceived by smooth words into the same miserable condition. As to ourselves, members of the established church, before we can come to think the promises of the church of Rome a good security to the church of England, so often styled the bulwark of the protestant cause against the church of Rome, we must believe the nature of things to be confounded, contradictions to be true, and darkness to be light."†

The protestant dissenters were equally careful; and, by order of their committee in London, a letter was addressed to all their members throughout the kingdom, wherein, "having taken into their consideration the present dangerous situ-

* London Magazine, 1745.

† Marchant's History of the Rebellion, p. 47.

ation of affairs in these kingdoms, by reason of the unnatural rebellion raised against his majesty king George, in favour of a popish pretender, supported by France, the avowed enemy of this country ;" they " recommend it to the body of dissenters to express their utmost zeal and readiness to join with any of his majesty's subjects to support his majesty's person and government in the present time of danger, in any legal way that shall be thought most effectual." And even some Roman catholics, though from their principles they must have approved the pretender's claims, and of course wished him success, were so sensible that his attempt was foolish and could not possibly succeed, that they utterly disclaimed it. Among these were the duke and dutchess of Norfolk, who waited personally at court upon his majesty, and assured him that they neither had, nor would have, any hand in the rebellion that had been raised to disturb the peace of his government. Sir William Gage also, and several other catholics in the county of Suffolk, waited upon the duke of Grafton, lord lieutenant of the county, and made similar declarations.

But it was not merely by addresses, which indeed sometimes are very equivocal manifestations of the real state of public feeling, that the aversion of the nation to Charles was declared; associations were formed in every quarter of the country for raising money and men for the service of the government, to an extent altogether unprecedented. The gentlemen of the county of York alone, under the auspices of the spirited and patriotic archbishop Herring, who, to encourage his neighbours, put on a lay military habit on the occasion, subscribed ninety thousand pounds sterling, to be laid out in arming, clothing, and maintaining four thousand men to be employed in the defence of his majesty's person and government. Three hundred gentlemen of the county at the same time enrolled themselves as volunteers to serve against the rebels, wherever his majesty's interests might require. These served without pay, and were mounted on fine hunting horses richly caparisoned. Their dress was blue trimmed with scarlet, and gold buttons, gold laced hats, and light boots. They wore short bullet guns, pistols of a moderate size, and strong plain swords. Each gentleman was attended by his servant, dressed

also in blue, but with brass buttons, armed with a short gun, pistols, and a pole-axe. The name by which this splendid corps chose to be distinguished was, The King's Royal Hunters.*

The example of the county of York was followed by many other counties, and most of the nobility raised companies, some of them regiments, which they clothed, armed, and maintained at their own expense. So general was the spirit of liberal and disinterested patriotism, that it reached characters who might have been supposed the most sordid and selfish. Two privateers, the Prince Frederick and the Duke, had been fortunate enough, in the month of July, to capture two Spanish ships laden with specie, amounting to upwards of seventy-eight tons, which, upon Tuesday and Wednesday the first and second of October, was brought to the Tower in forty-five waggons, and, on the sixteenth, the proprietors of the vessels waited on his majesty and offered their share, seven hundred thousand pounds, to be immediately applied for his service. The offer was graciously accepted, on the understanding that the money was to be repaid by the parliament.† Such a number of men were in a short time raised by these means alone, as would in the end have been far too formidable for Charles, though a single regiment had not been recalled from the continent.

It was soon, however, discovered that there was not any want of men, and the national generosity was turned rather to render more effective and more comfortable, amid the difficulties of a severe winter campaign, those who were already in the field, and sufficiently numerous for restoring the national tranquillity. A subscription for this purpose was opened at Guildhall, on the twenty-seventh of November. The lord chief justice, Lee, the master of the rolls, and the judges subscribed twelve hundred pounds; the chamber of the city of London, one thousand; the civilians at Doctors' Commons, five hundred; the gentlemen volunteers, five hundred and twenty-three pounds nineteen shillings; the goldsmiths' company, five hundred; the drapers and fishmongers, three hun-

* Marchant's History of the Rebellion, pp. 59, 60.

† Marchant's History of the Rebellion, pp. 59, 60. London Magazine for 1745. Scots Magazine for 1745.

dred; the cloth-workers, two hundred and twelve pounds fourteen shillings; the skimmers, one hundred and five pounds; the coopers and stationers, one hundred each; Mr. Rich, the proceeds of three nights' acting the Beggar's Opera, all the actors giving their service gratis, and the chandlers furnishing candle, six hundred pounds. To this fund the prince of Wales sent five hundred pounds; the society of Friends furnished among themselves ten thousand woollen waistcoats; and his majesty, from the privy purse, as many shoes. From this fund the acting committee, besides reserving five thousand pounds to reward such as should be maimed or particularly distinguish themselves in the service, and three hundred pounds to be applied for the more speedy recovery of the sick, furnished twelve thousand pair of breeches, twelve thousand shirts, ten thousand woollen caps, ten thousand pair of woollen stockings, twelve thousand pair of knit woollen gloves, nine thousand pair of woollen spatterdashes, and one thousand pair of blankets, for the use of the army, to which was to be added the ten thousand woollen waistcoats furnished by the Friends, and the shoes by his majesty, from the privy purse, a generous provision unprecedented in the history of the country, which must have contributed in a high degree to the health and comfort of the troops during the long and severe winter campaign they had to undergo.*

In the meantime, the constituted authorities were providing in the best manner they could for the trying crisis that was before them. The parliament was assembled on the seventeenth of October, when his majesty made the following speech:—
 “My lords and gentlemen,—The open and unnatural rebellion which has broke out, and is still continuing in Scotland, has obliged me to call you together sooner than I intended, and I shall bring nothing before you at present but what relates immediately to our security at home, reserving all other considerations to another opportunity. So wicked and daring an attempt in favour of a popish pretender to my crown, headed by his eldest son, carried on by numbers of traitorous and desperate persons within the kingdom, and encouraged by my

* London Magazine for 1745, &c.

enemies abroad, requires the immediate advice and assistance of my parliament to suppress and extinguish it. The duty and affection for me and my government, and the vigilant and zealous care for the safety of the nation, which have, with so much unanimity been shown by my faithful subjects, give me the firmest assurance that you are met together resolved to act with a spirit becoming a time of common danger, and with such vigour, as will end in the confusion of all those who have engaged in or fomented this rebellion.

“ I have, through the whole course of my reign, made the laws of the land the rule of my government, and the preservation of the constitution in church and state, and the rights of my people, the main end and aim of all my actions. It is therefore the more astonishing, that any of my protestant subjects, who have known and enjoyed the benefits resulting from thence, and have heard of the imminent dangers these kingdoms were wonderfully delivered from by the happy revolution, should, by any arts and management; be deluded into measures that must at once destroy their religion and liberties, introduce popery and arbitrary power, and subject them to a foreign yoke.

“ Gentlemen of the house of commons,—I rely on your affection to me, and your care and concern for our common safety, to grant me such a supply as may enable me entirely to crush this rebellion, effectually to discourage any foreign power from assisting the rebels, and to restore the peace of the kingdom, for which purpose I will order the proper estimates to be laid before you. Amongst the many ill consequences of this wicked attempt, the extraordinary burden which it must bring upon my faithful subjects, very sensibly affects me; but let those answer for it, whose treason has occasioned it, and my people be convinced what they owe to those disturbers of our peace, who are endeavouring to make this kingdom a scene of blood and confusion.

“ My lords and gentlemen,—The many evident proofs this parliament has given of their duty, fidelity, and affection to me, and of their steady adherence to the present happy establishment, and the true interest of their country, make me repose myself entirely on the zeal and vigour of your proceedings and resolu-

tions. I am confident you will act like men who consider that every thing dear and valuable to them is attacked, and I question not, but, by the blessing of God, we shall in a short time see this rebellion end not only in restoring the tranquillity of my government, but in procuring greater strength to that excellent constitution which it was designed to subvert. The maxims of this constitution shall ever be the rules of my conduct; the interest of me and my people is always the same and inseparable. In this common interest let us unite; and all those who shall heartily and vigorously exert themselves in this just and national cause, may always depend upon my protection and favour."

This truly patriotic, and, in some respects prophetic speech, every way worthy of a constitutional king, was most cordially re-echoed by both houses. "The many evident proofs," say the lords, "of true loyalty and affection to your majesty, and zeal for your government, which have been already shown by your faithful subjects, with an union and cheerfulness never known before, unless at the happy revolution wrought by our great deliverer king William III., are clear demonstrations that this nation is determined to preserve the structure built upon that glorious foundation. Vain indeed must be the expectations of those who can imagine we would part with it. As your majesty has been pleased graciously to accept and approve those beginnings, we beseech you to look upon them as an earnest of the united zeal and vigour of your parliament in the cause of your majesty and their country."—"Permit us," say the commons, "to give your majesty the strongest assurances of our duty and affection to your person and government, and to declare that we will with vigilance, zeal, and unanimity, show a spirit and vigour becoming this time of danger. In order to make these sentiments effectual, your faithful commons will grant such supplies, and put such strength into your majesty's hands, as we trust in God, and hope from your majesty's wisdom, cannot fail to defeat the attempts of those who have already made one part of the united kingdom, and would make the other a scene of blood, rapine, and confusion."

A bill was the same day brought into the house of commons for suspending the *habeas corpus* for six months, read twice,

and committed for next day, when, upon report of the committee, it was engrossed, read a third time, and passed. On the nineteenth it went through the house of lords, and on the twenty-first received the royal assent. This bill also suspended the act for preventing wrongous imprisonment in Scotland, and by it the horses of suspected persons might be seized as well as themselves; the owners to be charged five shillings a week for keeping every horse so seized. A number of suspected persons were immediately apprehended, among whom was one Gordon, a Scottishman, and a Romish priest, by whose papers it appeared that many thousand pounds had through his hands been transmitted to the rebels.* Several Irish papists were also committed to prison, and all of that persuasion lay under strong suspicions of being at least secretly wellwishers to the cause.

On the sixth of November, in consequence of a message from the lords desiring a conference with them, the commons waited for that purpose in the painted chamber, when the papers published and dispersed over the country by the son of the pretender, were taken into consideration, and next day both houses resolved:—"That the two printed papers, respectively signed James R. and dated at Rome, December twenty-third, 1743; and the four printed papers, signed Charles P. R. dated respectively May sixteenth, August twenty-second, and October ninth and tenth, 1745, are false, scandalous, and treasonable libels, intended to poison the minds of his majesty's subjects—contain the most malicious, audacious, and wicked enticements to them to commit the most abominable treasons—groundless and infamous calumnies and indignities against the government, crown, and sacred person of his most excellent majesty George II. our only rightful and undoubted sovereign—and seditious and presumptuous declarations against the constitution of this united kingdom—representing the high court of parliament, now legally assembled by his majesty's authority, as an unlawful assembly, and all the acts of parliament passed since the happy revolution as null and void: and that the said printed papers are full of the utmost arrogance and insolent affronts to the honour of the British nation, in supposing that his majesty's subjects are capable of

* Scots Magazine for 1745.

being imposed upon, seduced, or terrified by false and opprobrious invectives, insidious promises, or vain and impotent menaces; or of being deluded to exchange the free enjoyment of their rights and liberties, as well civil as religious, under the well established government of a protestant prince, for popery and slavery under a bigoted popish pretender, long since excluded by the wisest laws made to secure our excellent constitution, and abjured by the most solemn oaths.

“2. That in abhorrence and detestation of such vile and treasonable practices, the said several printed papers be burned by the hands of the common hangman, at the royal exchange in London, on Tuesday the twelfth of this instant November, at one of the clock in the afternoon, and that the sheriffs of London do then attend, and cause the same to be burned there accordingly.” Agreeably to these resolutions, the papers were burned amidst the acclamations of an immense concourse of people.*

In the meantime, troops to the number of nine thousand men, under the command of field marshal Wade, were upon their march towards Scotland;† the train-bands of the city of London, six regiments, were doing duty by turns, day and night, to preserve the public peace; the gates were shut every night at ten, and not opened till six o'clock in the morning. No person was allowed to pass or repass, but such as could give satisfactory accounts of themselves, the gates, as well as all the approaches to the city without the walls, being guarded by piquets of armed men, patrols of which also occupied the streets during the night.

On the twenty-fifth of October, four troops of Sir John Ligonier's regiment of horse, Bland's dragoons, a detachment of the guards, St. Clair's battalion of foot, lieutenant-general Harrison's, general Huske's and Beauclerk's regiments of foot arrived in the Thames; and on the twenty-eighth, the six regiments of train-bands of the city of London, passed in review before his majesty, who, attended by his royal highness the duke of Cumberland, and a great number of the nobility, viewed them

* Scots and London Magazines for 1745.

† Culloden Papers, p. 227.

for three hours from the terrace of the royal gardens at St. James'. The thirtieth being his majesty's birth-day, was observed in all the cities, towns, and corporations, but particularly in the cities of London and Westminster, with more than ordinary demonstrations of loyalty, and with every symptom of contempt and abhorrence of the pretender, popery, and arbitrary power.*

Charles meanwhile having reached Kelso on the fourth of November, sent an order to Wooler to provide quarters and provisions for four thousand foot, and one thousand horse. This was probably done with the view of alarming general Wade, who was at Newcastle with an army nearly twice the number of the rebels, and who, had he known exactly the route by which they intended to enter England, might have succeeded in materially impeding their progress. His army, however, from the fatigue of the march, and the inclemency of the weather, was sickly, and from the circumstance of its supplying the city of London with coal, it was necessary, if possible, to keep Newcastle out of the hands of the insurgents; he therefore made no movement for the protection or the assistance of any other quarter. General Wade was no doubt also induced to be more wary of Newcastle from the circumstance of an agent of the pretender having been apprehended there, who had left Edinburgh only the day after the battle at Gladsmuir. This agent was an innkeeper at Perth, but zealous for Charles, had left the care of his inn to others, expecting, like the most of Charles' followers, to reap a more ample fortune in the richly cultivated plains of the south. His instructions, found upon him after he had attempted to cut his throat, were under the hand of Charles as follows:—"You are hereby authorized and directed to repair forthwith to England, and there notify to my friends, and particularly those in the north and north-west, the wonderful success with which it has hitherto pleased God to favour my endeavours for their deliverance. You are to let them know, that it is my full intention in a few days to move towards them, and that they will be inexcusable before God and man if they do not do all in their power to assist and sup-

* Culloden Papers, p. 227.

port me in such an undertaking. What I demand and expect is, that as many of them as can should be ready to join me, and that they should take care to provide provisions and money, that the country may suffer as little as possible by the march of my troops. Let them know that there is no more time for deliberation. Now or never is the word. I am resolved to conquer or perish. If this last should happen, let them judge what they and their posterity have to expect, 'C. P. R.'* Whatever might have been originally his intention, instead of proceeding by Wooler, on the road to Newcastle, Charles crossed the Tweed, and taking the road by Jedburgh, Hawick, Magiehaugh, Longholm, and Cannoby, came to Longtown, the place of rendezvous on the English side of the border, on the eighth, where they were joined by the horse that went along with the duke of Perth. "When they entered England they drew their swords and huzzaed, but in drawing them Lochiel cut his hand, which was looked on as a bad omen."† On the ninth they united their whole force, and marched towards Rowcliff, when they crossed the Eden within four miles of Carlisle, and proceeded to Burghside, where they lay that night about four miles south of that city. It had been carefully concealed from the troops where they were to march; "and we were all," says the chevalier de Johnstone, "very much surprised on finding ourselves all arrive almost at the same instant on a heath in England, about a quarter of a league from Carlisle. From the same authority we learn, that "the march was executed with so much precision, that there was not an interval of two hours between the arrival of the different columns at the place of rendezvous."‡ Many of the Highlanders, however, deserted on the march, particularly at Kelso, and many stragglers with their arms were taken up by the country people, and sent in to the castles of Edinburgh and Stirling, or to the commanders of his majesty's ships upon the coast.§

On the same day, the ninth, about fifty or sixty of the Highlanders on horseback, supposed to be officers, appeared on Stanwix bank, a hill close to Carlisle, where they were fired upon

* Culloden Papers, p. 226.

† Culloden Papers, vol. ii. p. 455.

‡ Memoirs of the Rebellion, by the Chevalier de Johnstone, p. 56.

§ Scots Magazine for 1745.

from the castle, upon which they retreated. In the afternoon they sent in a message to the mayor to provide billets for thirteen thousand men, and at night they paraded round the city, so as to make their numbers appear as formidable as possible; and they had either been very dexterous in the disposal of their troops, or the fears of the inhabitants must have been great, for they estimated them at nine thousand men, nearly one half more than their real number. Next day, after having marched partly round the town, apparently to reconnoitre it, a message was sent into the mayor in writing, dated November tenth, at two in the afternoon, and subscribed Charles P. R. to the following effect:—"Being come to recover the king our father's just rights, for which we are arrived with all his authority, we are sorry to find that you should prepare to obstruct our passage. We therefore, to avoid the effusion of English blood, hereby require you to open your gates, and let us enter, as we desire, in a peaceable manner; which if you do, we shall take care to preserve you from any insult, and set an example to all England of the exactness with which we intend to fulfil the king our father's declarations, and our own. But if you shall refuse us entrance, we are fully resolved to force it by such means as providence has put into our hands, and then it will not, perhaps, be in our power to prevent the dreadful consequences which usually attend a town's being taken by assault. Consider seriously of this, and let me have your answer within the space of two hours, for we shall take any further delay as a peremptory refusal, and take our measures accordingly." To this no answer was returned but by a fire from the garrison, which was continued till near midnight.

Having heard a report that general Wade was on his march from Newcastle, to raise the siege of Carlisle, and that he had already advanced as far as Hexham, Charles left the duke of Perth to conduct the siege, and marched to Brampton, where he waited from the eleventh to the thirteenth, when learning that Wade was still at Newcastle, he returned to Carlisle, and the siege was commenced in form. On the fifteenth it surrendered, the rebels having threatened to reduce it to ashes by red hot shot—at the same time, they had never discharged a

single cannon, fearing the garrison might learn the smallness of their calibre, which was such as could have made little impression upon walls, even though they were of no great strength, and thence have taken courage to defend themselves with resolution.*

The surrender of Carlisle has been palliated by the most of those who have written upon the subject, in a manner that shows a much higher respect to what they seem to have supposed the honour of England, than to simple truth. The place certainly was not competent to have stood a long siege skilfully conducted, but the rebels were neither skilful in conducting sieges, nor had they the means for carrying them on with any thing like effect; and had the garrison, which consisted of two companies of invalids, assisted by the whole militia of Cumberland and Westmoreland, with a number of the gentlemen of the neighbourhood, amounting to sixteen or eighteen hundred men, been possessed of common understanding and common courage, the rebels might have been detained before the place till they had been encompassed with a force six times their number; but the plain fact seems to be, that Mr. Pattison, the mayor, was either a craven or a Jacobite, perhaps part of both, and when the lord provost of Edinburgh was shortly after this committed to the Tower of London, but for the exercise of a most shameful partiality, the mayor of Carlisle would most certainly have been sent to keep him company.

The duke of Perth, who had conducted the siege, entered Carlisle upon the capitulation being signed. He took an oath of the garrison not to serve again against Charles, and shaking the men by the hands, told them they were brave fellows, and offered them money to enlist with him. Here the rebels obtained upwards of two hundred good horses, all the arms belonging to the militia, besides a thousand stand lodged in the castle, with all the most valuable of the effects belonging to the people in the country around, who had sent them there as a place of safety. Several of the militia attempted to escape without taking the oath, as also some of Cope's men, who had

* *Memoirs of the Rebellion by the Chevalier de Johnston*, p. 58.

enlisted with the rebels and afterwards deserted, one of whom they threatened to shoot, as an example to deter others from practising the like deception.

Next day, Saturday the sixteenth, they proclaimed the pretender, and read his and his son's manifestoes, attended by the mayor and magistrates, having the sword and mace carried before them. At the same time general Wade, after holding a council of war, was marching from Newcastle for the relief of Carlisle, and on the seventeenth had got as far as Hexham, about a third part of the way, where, hearing that it was in the hands of the rebels, he returned to Newcastle.*

After having thus easily made themselves masters of Carlisle, the rebels lingered in inactivity several days, the men, as one has expressed it, employing themselves "taking up muttons, turkies, and geese," and the officers in bitter dissensions and fruitless debates upon the desperate enterprise in which they were engaged. Upon reviewing their army it was declared by M. Patullo, their muster master, not to exceed four thousand five hundred men, a force justly considered by the chiefs as altogether inadequate for penetrating farther into England with any prospect of success. It was therefore again strongly urged upon Charles as the only reasonable course he could pursue, seeing his English friends who were to have welcomed him on the border had disappointed him, to return to Scotland, take up his residence in the capital of that kingdom, and carry on a defensive war till such time as circumstances should enable him to turn it into an offensive one. England, however, was the all in all of Charles' ambition; and finding no other argument of any weight with the chiefs, he assured them he had fresh letters from his friends there, that he would find them all in arms on his arrival at Preston. By these assurances, and the obstinacy of his temper, he at last gained a victory over the better judgment of his followers, and they declared, small as their numbers were, if he chose to make the experiment and march forward, they would follow him.†

Paucity of numbers, it is to be noticed, was not the only discouraging circumstance Charles had to contend with. The

* Ray's Complete History of the Rebellion, p. 103.

† Memoirs of the Rebellion by the Chevalier de Johnstone, pp. 60, 61. Home's History of the Rebellion, p. 103.

chieftains, equal in power and equal in ambition, had already become jealous of one another. The conducting of the siege of Carlisle had been intrusted to the duke of Perth, while the covering of that siege was intrusted to lord George Murray, who went into the trench the night before the place surrendered, and after seeing how all was conducted, desired the duke of Perth to communicate with him, in case of any thing particular happening. The duke of Perth, however, sent direct to Charles at Brampton, and took no notice of lord George Murray, though he was the senior officer, and sent there purposely to cover the siege and be assisting to it. Considering that he had a right to be consulted, lord George entered a complaint, to which he received no answer, upon which he wrote to Charles, stating that he had been ill used, and requesting that, if he was in the least suspected, his command might be taken off his hand, and he would serve as a volunteer though it were to the last drop of his blood. The duke of Perth too being a Roman catholic, the protestant part of the army murmured at his exaltation to the supreme command. Informed of this state of feeling among his followers, the duke of Perth resigned his commission of lieutenant general into the hands of Charles, assuring him that he would serve at the head of the regiment which he himself had raised. Lord George of course resumed his commission, and commanded henceforth as the only lieutenant general.*

On their march to Carlisle a detachment of the rebels was surprised at Lockerby by a party consisting principally of seceders from Dumfries, who carried off to that place upwards of thirty carts of baggage, to recover which, on the surrender of Carlisle, Lochiel was despatched with a party of Highlanders, but before they reached their destination they were recalled to join the army, now resolved to push its way to the south. The cavalry accordingly, on the twentieth, proceeded to Penrith, a distance of eighteen miles, and on the twenty-first, leaving a garrison of from two to three hundred men in Carlisle, Charles with the infantry followed and took up their quarters at the same place,

* Lockhart Papers, vol. ii. pp. 456, 457. Home's History of the Rebellion, p. 103.

lord Elcho, with the cavalry, which he commanded, as first captain of the lifeguards, having gone on to Shap, a village a few miles to the south of Penrith. On the twenty-second the cavalry advanced to Kendal, where they were joined by the infantry on the twenty-third. On the twenty-fourth the cavalry passed the night at Lancaster, and, on the twenty-fifth proceeded to Preston, where the infantry arrived on the twenty-sixth. Here they found just as little appearance of an army to assist them as at Carlisle. Charles, however, called together the chiefs of the clans, and giving them fresh hopes of being joined by his partisans at Manchester, persuaded them to march forward. On the twenty-eighth they passed the night at Wigan, and arrived at Manchester on the twenty-ninth, where they remained till the thirty-first. This delay at Manchester was in order to give time for their friends, of whom they had heard so much, to come forward. When these friends did come forward what must have been the disappointment of the rebel chieftains to find, that instead of an army calculated to give them influence in the cabinet and superiority in the field, they scarcely amounted to three hundred, of the very basest of the people, the principal man among them, under whom as colonel they were assorted into a regiment, being a gentleman of no great note, a Francis Townley, who had been formerly in the service of France, and was a Roman catholic.* Here, however, the bells were rung for

* The following will give the reader a better idea of these gentlemen than any abstract that could be made of it. It is from the pen of the Chevalier de Johnstone, and may be taken as one of his most characteristic passages:—

"One of my serjeants, named Dickson, whom I had enlisted from among the prisoners of war at Gladsmuir, a young Scotsman, as brave and intrepid as a lion, and very much attached to my interest, informed me on the 27th at Preston, that he had been beating up for recruits all day without getting one; and that he was the more chagrined at this, as the other serjeants had better success. He therefore came to ask my permission to get a day's march ahead of the army, by setting out immediately for Manchester, a very considerable town of England, containing 40,000 inhabitants, in order to make sure of some recruits before the arrival of the army. I reproved him sharply for entertaining so wild and extravagant a project, which exposed him to the danger of being taken and hanged, and I ordered him back to his company. Having much confidence in him, I had given him a horse, and intrusted him with my portmanteau, that I might always have it with me. On entering my

them and the town illuminated, a great deal of money collected, and they had abundance of good cheer.

quarters in the evening, my landlady informed me that my servant had called and taken away my portmanteau and blunderbuss. I immediately bethought myself of his extravagant project, and his situation gave me much uneasiness. But on our arrival at Manchester, in the evening of the following day, the 29th, Dickson brought me about one hundred and eighty recruits, whom he had enlisted for my company.

"He had quitted Preston in the evening, with his mistress and my drummer; and having marched all night he arrived next morning at Manchester, which is about twenty miles distant from Preston, and immediately began to beat up for recruits for 'the yellow hair'd laddie.' The populace at first did not interrupt him, conceiving our army to be near the town; but as soon as they knew it would not arrive till the evening, they surrounded him in a tumultuous manner, with the intention of taking him prisoner alive or dead. Dickson presented his blunderbuss, which was charged with alugs, threatening to blow out the brains of those who first dared to lay hands on himself or the two who accompanied him; and by turning round continually facing in all directions, and behaving like a lion, he soon enlarged the circle, which a crowd of people had formed round them. Having continued for some time to manœuvre in this way, those of the inhabitants of Manchester who were attached to the house of Stuart, took arms, and flew to the assistance of Dickson, to rescue him from the fury of the mob; so that he soon had five or six hundred men to aid him, who dispersed the crowd in a very short time. Dickson now triumphed in his turn; and putting himself at the head of his followers, he proudly paraded undisturbed the whole day, with his drummer, enlisting for my company all who offered themselves.

"On presenting me with a list of one hundred and eighty recruits, I was agreeably surprised to find, that the whole amount of his expenses did not exceed three guineas. This adventure of Dickson gave rise to many a joke, at the expense of the town of Manchester, from the singular circumstance of its having been taken by a serjeant, a drummer, and a girl. The circumstance may serve to show the enthusiastic courage of our army, and the alarm and terror with which the English were seized.

"I did not derive any advantage from these recruits, to the great regret of Dickson. Mr. Townley, formerly an officer in the service of France, who had joined us some days before, obtained the rank of colonel, with permission to raise a regiment entirely composed of English; and the Prince ordered me to deliver over to him all those whom Dickson had enlisted for me. It was called the Manchester regiment, and never exceeded three hundred men, of whom the recruits furnished by my serjeant formed more than the half. These were all the English who ever declared themselves openly in favour of the Prince; and the chiefs of the clans were not far wrong, therefore, in distrusting the pretended succours, on which the Prince so implicitly relied."—*Memoirs of the Rebellion*, pp. 63—66.

On the first of December Charles proceeded to Macclesfield, and lord George Murray to Congleton, where on the second he sent out Kerr of Gradon towards Newcastle under Lyne, from which he was distant only nine miles, to reconnoitre the king's army, the advanced guard of which was at that place. At Talkerhill, not far from the duke's army, Kerr came unexpectedly upon captain Weir, belonging to that army, and carried him off prisoner. From Congleton lord George Murray turned aside by Leck to Ashburn. Charles lay that night at Leck, and on the fourth both divisions arrived at Derby, after a long march, very much fatigued.

The rebels were now only one hundred and twenty-seven miles from London, and by turning off at Congleton, by the way of Derby, they had got between the duke of Cumberland's army and that city. Their situation, however, was becoming critical in the extreme. They had succeeded to admiration in concealing their numbers during the whole course of their march, always demanding billets for twice or three times their real numbers; and as they issued the billets themselves, and generally entered and left the towns in which they slept, in different bodies, and under cloud of night, the deception was the less liable to be discovered; but their real strength could not fail now to be very soon made manifest. They had evaded the duke of Cumberland, but there was another army before them which they could not expect to evade, while the duke of Cumberland would be in their rear, and could not be more than a day's march behind them. General Wade was also now hasting after them, so that they could reasonably lay their account with nothing less than fighting three armies, each of them, both in number and equipment, greatly superior to their own; and even supposing they should have been so fortunate as to have escaped all these armies, and to have reached and entered London, their numbers were altogether inadequate for keeping any thing like permanent possession of such an extensive and populous city. Many of the infatuated persons who had committed themselves in this unhappy adventure, seem to have had clear enough views of the danger upon which they were rushing; but they had already advanced so far that retreat seemed hopeless, and they had continued to march forward

under the influence of despair, trusting for deliverance to some unexpected or unforeseen accident, or determined to sell their lives as dear as possible. Here, however, they seem to have considered, lay their last chance for retreating. Their encouragement to proceed had been less and less as they came along. Their friends, if they had any, kept no correspondence with them, and everywhere the people of the country had manifested the bitterest hostility.* From London they had no intelligence

* The following out of many more of the same kind that might be produced, will give the reader some idea of the kindly feeling of the good people of England in general towards them:—"About six o'clock on Wednesday evening, were quartered on me, six officers (one a major, as they styled him,) and forty private men, with eight pricked up shabby horses, some without saddles or bridles, others with halters and pieces of bridles, and ropes about their heads and necks, and poor saddles, or a sort of pads stuffed with straw upon them. Most of the men after their entrance into my house, looked like so many fiends turned out of hell to ravage the kingdom and cut throats; and under their plaids nothing but various sorts of butchering weapons were to be seen; the sight at first must be thought very shocking and terrible. But these wretches being fatigued with their long march from Leck that day, soon after they came into my house, stuffed themselves well with bread, cheese, and ale, and then about twenty of them before a great fire in my hall, ordered by them, called for a large quantity of straw, and nestled into it for repose; and the remainder of them did the like in a large laundry-room belonging to my house, before two great fires likewise ordered to be made there. The officers took possession of my parlour and the chambers they liked best, commanded what supper and liquor they would have, and expected me, my wife, and whole family to wait on them, as if they had been so many petty princes; yet one of the officers was tolerably civil and communicative, and redressed some complaints made about the ill behaviour of his men. My hall (after these vagabond creatures began to be warm, by such numbers under the straw, and a great fire near them,) stunk so of their itch, and other nastinesses about them, as if they had been so many persons in a condemned hole, and 'twill be very happy if they've left no contagion behind them. The next day the officers and their men grew more bold, and ordered in a haughty tone what meat and drink they would have at their meals, and if you was not at an instant ready to administer what they called for, some of them would surround you with fierce and savage looks, as if they had been so many mutes, appointed to strangle, or some other way assassin you. To Friday morning they ate me up near a side of beef, eight joints of mutton, four cheeses, with abundance of white and brown bread, (particularly white,) three couple of fowls, and would have drams continually, as well as strong ale, beer, tea, &c. But really what did afford me some matter for unavoidable laughter, (though my family in this miserable situation,) was, to see those

further than that thirty thousand men were assembled on Finchley Common to dispute their entry into it. They had certain information that the moment they passed Swarkston bridge it would be broken down behind them, and upon the most mature deliberation a retreat appeared to every man among the chiefs, Charles alone excepted, the only expedient they could adopt. The necessity of this measure seemed to all of them indisputable, and its expediency seemed also confirmed by the arrival of a despatch from lord John Drummond, who had landed at Montrose with his regiment of royal Scots, newly raised in France, and some piquets of the Irish brigade, amounting, with the Highlanders whom he found already embodied on his arrival, to upwards of three thousand men. The remainder of the Irish brigade, lord John Drummond informed Charles, had embarked before he left France, and with several French regiments would most certainly be landed in Scotland by the time he could be in possession of the despatch.*

While the chiefs were occupied in these embarrassing deliberations, the men in general were employed in the usual manner. They proclaimed the pretender, uplifted the public money, and all the subscriptions of individuals for raising troops for the government, which in Derby amounted altogether to

desperadoes, from officers to common men, at their several meals, first pull off their bonnets, and then lift up their eyes in a most solemn manner, and mutter something to themselves, by way of saying grace, as if they had been so many pure, primitive Christians.

Their dialect (from the idea I had of it) seemed to me as if an herd of Hottentots, with monkeys in a desert, or vagrant gypsies, had been jabbering, screaming, and howling together; and really this jargon of speech was very properly suited to such a set of banditti.

I cannot omit taking notice of the generous present they made me at parting on Friday morning, for the trouble and expense I was at, and the dangers undergone, (though by the bye I wished for no other compensation than the escape of my family with their lives, and of my house being plundered,) which was, a regiment of lice, several loads of their filthy excrements, and other ejections of different colours, scattered before my door in the garden, and elsewhere about my house."—*Marchant's History of the Rebellion*, pp. 212—214.

* *Lockhart Papers*, vol. ii. pp. 458, 459. *Memoirs of the Rebellion by the Chevalier de Johnstone*, p. 69.

upwards of two thousand pounds sterling. They also, as they had done elsewhere, helped themselves to various articles, such as gloves, stockings, linens, and shoes, upon very easy terms, and they were in high spirits in hopes of being led to fight the duke of Cumberland next day, whom they expected to dispose of as easily as they had done of Sir John Cope. With this view they were to be seen in crowds before the shops of the cutlers, quarrelling who should be first admitted to sharpen and give a proper polish to their swords. They also made attempts to increase their strength by recruiting, but without success. The bounty they offered here was five shillings in hand, and five pounds when they arrived in London, no very great encouragement to engage in an enterprise that to every considerate person must have now been seen to be hopeless.

After the most mature deliberation on the part of the chiefs in the army of Charles, though he himself saw no difficulty in marching forward, it was unanimously determined, on the evening of the fifth, that they should retreat into Scotland, or till they could form a junction with lord John Drummond, who they fondly persuaded themselves was advancing by rapid marches to their assistance. They accordingly set out next morning, the sixth, some hours before day, the Highlanders for some time believing they were on their march to attack the duke of Cumberland, and displaying great cheerfulness, and the most ardent alacrity for the combat; but when the dawn disclosed the secret, and they found that they were in full retreat, their countenances fell, and they gave way to the bitterest expressions of rage and disappointment. It was probably with a view to mitigate this disappointment, that after the last of them had evacuated Derby, a few of their officers returned to the town, and ordered a large sum of money to be advanced instantly, under pain of military execution, for the use of the troops. The troops continued, however, very much out of humour, and stript several people whom they met by the way of their clothes, besides plundering houses, and carrying off horses, which they seem almost uniformly to have done both in advancing and retreating. They rested the first night of their retreat at Ashburn, where they shot two men. The next day,

Saturday the seventh, they proceeded to Leck, next day to Macclesfield, and on the ninth to Manchester, upon which they imposed a contribution of five thousand pounds sterling. It was but ten days previous to this, that in their advance they had uplifted at this place three thousand pounds, and now it was found impossible to comply with this demand. In consequence of this inability, it was mitigated to two thousand five hundred pounds, for raising which, Charles issued the following precept:—"To the constables and collectors of the land-tax of the towns of Manchester and Salford. These are requiring you to collect and levy from the said towns of Manchester and Salford, the sum of two thousand five hundred pounds, to be paid by you into our secretary, betwixt this and to-morrow, at one of the clock, mid-day, for which you shall receive our royal declaration for having the said sum repaid to the said towns, so soon as the country is in quiet and tranquillity under our government. Given at Manchester, the ninth day of December, 1745, by his highness' command, signed and sealed by J. Murray."*

Having obtained the above sum, which was raised among the citizens, two of the principal of whom gave promissory notes for it, payable in three months, Charles proceeded to Wigan on the tenth, and to Preston on the eleventh, where they rested on the twelfth. From Preston they despatched the duke of Perth with an hundred horse to Scotland, to bring up the French and others that were at Perth under lord John Drummond; but the country was by this time everywhere in motion, and he found it impossible to proceed without a great addition to his numbers. He had, however, proceeded as far as Penrith, where he was attacked by the country people on the fifteenth, and pursued back to Shap, a village on the road between Penrith and Kendal. Here perceiving the beacon fires blazing around him in every direction, and finding the country people ready to fall upon him, he hastened his march to Kendal, which he reached about two o'clock in the morning. Here he was

* *Memoirs of the Rebellion, 1745, by the Chevalier de Johnstone*, p. 73. *London Mag.* for 1745. *Marchant's History of the Rebellion*, pp. 206, 207. *Ray's History of the Rebellion*, p. 182.

safe from the attacks of the rabble, the main body of the rebels having arrived from Lancaster the previous evening.*

The Highlanders were not a little confident in their powers of marching, but they had use for them all, and would, notwithstanding, have most certainly been compelled to fight at Lancaster, had not their friends in the south raised a false alarm that a French army had landed on the coast of England, which induced the government to send an express after the duke of Cumberland, in consequence of which he halted on the fifteenth for further information, and also gave orders for general Oglethorpe to discontinue the pursuit, when he was upon the very heels of the rebels, having entered Lancaster in the morning at the one end of the town, as the rear of their army went out at the other. Here, indeed, so hardly were they put to it, that they began their march at eight o'clock in the evening, and kept marching off in different bodies through the night, the last of them getting away about eight o'clock in the morning. On the sixteenth general Oglethorpe again received orders to push forward, while the duke himself was following with all possible expedition; but the rebels had rested on the night of the fifteenth at Kendal, and by this time had reached Shap, where they halted on the night of the sixteenth. On this day's march they met with much, that was discouraging; and from the badness of the roads, and the breaking down of their carriages, the rear guard, consisting of the Glengary regiment, under the command of lord George Murray, with the baggage, were left a good way behind, and were compelled to pass the night on the highway, exposed to a violent storm of wind and rain. On the seventeenth, the main body of the rebels reached Penrith, but the rear guard, with the baggage, met with increasing difficulties, were compelled to throw the greater part of their powder into a pool of water, for want of waggons to transport it; and in consequence of the loss of four horses—which, with the carriage to which they were yoked, through the carelessness of a driver, fell over a bridge,—would have lost all their cannon balls, had

* Lockhart Papers, vol. ii. p. 495. Ray's History of the Rebellion, p. 186. Marchant's History of the Rebellion, pp. 217, 218.

not lord George Murray offered twelve pence* for every one that should be brought to him at Shap, from which they were then distant about two miles. They reached Shap late in the evening, where they halted for the night, and thither the greater part of the cannon balls were carried, and the money paid for them according to promise.†

After this unfortunate affair at the bridge, the rebels were embarrassed by the appearance of parties of the duke of Cumberland's light horse upon the heights in their rear, who, though they did not attempt to carry off the baggage, gave them several alarms through the night, and scarcely had they commenced their march for Penrith next morning, which they did by break of day, than the same light horse—but without coming within musket shot—kept hovering about them on all sides, with an evident design of cutting off their retreat, which they might easily have done with regard to the cannon and baggage, had they had the common sense to throw into the road the stone walls by which it was enclosed. About mid-day they appeared, on the top of an eminence over which the rebels had to pass, in such numbers as to induce a belief in the Highlanders that they intended to dispute the passage of the hill in good earnest. When they were attacked, however, by a detachment of the rebels, they galloped off in disorder, leaving behind them one man who was thrown from his horse, and whom the officers, for the sake of intelligence, were anxious to make a prisoner of, but they found it impossible to save him from the fury of the Highlanders, who cut him to pieces in an instant. The march for Penrith was instantly resumed, but another of their waggon breaking down, occasioned a delay of two hours, and scarcely were they again able to proceed, when their rear was attacked by a large party of dragoons. The road, however, running between close hedges and ditches, where the cavalry had no freedom to act, the Highlanders repulsed them with ease in all their attempts. The baggage still proceeding, and notice having been sent to Penrith to Charles for assistance, lord George Murray formed the design of taking his pursuers

* Twalpennies Scottish, one penny sterling.

† Marchant's History of the Rebellion, p. 218. Lockhart Papers, p. 461. London Magazine for 1745.

by surprise, and cutting them off. For this purpose he posted some hussars under cover of a farm house, at the foot of Clifton muir, with a few more straggling about for a decoy, while he himself, with three hundred foot, and a few horse, took the way through the parks of Lowther Hall, with which he was well acquainted, having often been a visitor at the house, which is the family seat of lord Lonsdale, intending to take his pursuers in the rear. Passing Lowther Hall, which lay directly in his way, and finding the outer gate shut, he desired it to be opened, and receiving no answer, some of the Highlandmen got over the wall, when two men rushed out, one on foot, and another on horseback, and being instantly pursued, they were both made prisoners. One of them proved to be a footman belonging to the duke of Cumberland, who had been sent to Lowther Hall with a message, importing that the duke intended to sleep there that night. From this footman information was received that the duke was just at hand with four thousand dragoons, and that the foot were fast following him. Kerr of Gradon was dispatched to Charles instantly with the tidings, and lord George Murray returned with the utmost expedition to Clifton.*

Charles, fortunately for his cause, had received intelligence of the approach of the dragoons before Kerr reached him, and had sent back Clunie with his regiment, and the Stuarts of Appin, under Ardshiel, to support and bring off the rear guard. The sun by this time had set. The duke's cavalry were formed in two lines on the muir, about half a mile from the village of Clifton. On both sides of the road, from the muir to the village of Clifton, the ground was enclosed, having on the one side the enclosures of lord Lonsdale, of great extent—on the other those of Clifton. The regiment of Glengary occupied the highway, having that of John Roy Stuart on its right, lining the wall of one of lord Lonsdale's enclosures. On the left of Glengary, and within the Clifton enclosures were the Stuarts of Appin, commanded by Ardshiel, and to the left of them the Macphersons, commanded by Clunie. Aware that his situation was critical, for he was acting

* Lockhart Papers, vol. ii. pp. 462, 463. Ray's History of the Rebellion, p. 192.

contrary to his orders, as well as facing an enemy of whose number and resources he was but partially informed, lord George Murray went backwards and forwards, speaking to every commanding officer, and giving him particular instructions how he was to behave. It was now dark, and, seeing they could not come at the rebels on horseback, detachments from Bland, Kerr, and Cobham's dragoons, were ordered to dismount, and attack them in the position, strong as it was, which they had chosen to occupy. The moon breaking through a cloud, showed to lord George Murray their advance towards the Clifton enclosures, where he was standing with his two regiments, with a hedge in front, and very near them, and at some distance another hedge, with a deep ditch, which terminated the Clifton enclosures. He immediately advanced to the second hedge, and in advancing received a fire from the dragoons, which was instantly returned, and without allowing the dragoons time to load again, Clunie and his Macphersons rushed upon them sword in hand, and forced them to fall back on their main body. They then gave a shout, to let their friends know they had repulsed the dragoons, and returned to their position, with the exception of twelve men, who had advanced too far upon the muir, and were cut off. The conflict lasted but a few minutes; and at the same time, and in the same manner, another party of dismounted dragoons advancing by the highway, were repulsed by Glengary and John Roy Stuart. Besides the twelve, who were the victims of their own desperate valour, the rebels lost a captain of hussars, named Hamilton, severely wounded, and taken prisoner. The loss on the part of the king's army was stated to be eleven killed, and twenty-nine wounded—four of the latter were officers.*

Such was the battle at Clifton Hall; a trifling skirmish, which has been foolishly magnified and boasted of as if it had been decisive of the point at issue, while in fact it decided nothing. Many falsehoods were propagated respecting it at the time by both parties. Those of the one party, however, have long ago been pretty generally given up to that oblivion which all false-

* Lockhart Papers, vol. ii. pp. 463, 464, 496, 497. Home's History of the Rebellion, pp. 108, 109. Scots Magazine for 1745.

hood merits, while those of the other have been revived, and set forth with new additions. We are told by the chevalier de Johnstone, that the loss of the king's army could not be ascertained, but that it was estimated by some to be six hundred men. "Platoons," he says, "of forty or fifty men, might be seen falling all at once beneath the swords of the Highlanders! yet they [the English] still remained firm, and closed up their ranks as soon as an opening was made through them by the sword! At length, however, the Highlanders forced them to give way, and pursued them across three enclosures to a heath that lay behind them. The only prisoner," he adds, "they took, was the duke of Cumberland's footman, who declared that his master would have been killed, if the pistol with which a Highlander took aim at his head, had not missed fire!"* Such details require no comment. Aware that he would soon be overpowered by the superior force of the king's army, lord George Murray made a quick, though orderly retreat to Penrith, whence Charles had already sent forward the baggage towards Carlisle, and made every disposition, though the night was exceedingly dark, for following it without a moment's loss of time. Clanronald and Keppoch's regiments were, however, ordered back to the bridge of Clifton, on purpose to conceal the intentions of the rebels, and to impress the inhabitants of Penrith, whom, in revenge for their treatment of the duke of Perth, when attempting to pass that way a few days before, they had treated with very little ceremony, with the belief that they were not retreating, but going to attack with their whole army the duke of Cumberland. The main body, in the meantime, pursued their way direct for Carlisle. Clanronald and Keppoch quickly followed, and the whole, with the exception of sixteen

* *Memoirs of the Rebellion in 1745*, by the Chevalier de Johnstone, p. 91. We have not thought it worth while to notice particularly the Chevalier's statement of the position of the armies—of Lochiel, with his Camerons, being the first who arrived to rescue lord George Murray and the Macdonalds from the English cavalry—or of the Highlanders, in the dusk of a winter evening, cutting down thorn hedges with their dirks, which, he says, was a necessary precaution, as they wore no breeches: the first of these statements is utterly vague, the second utterly false, and the third so much in the manner of Baron Munchausen, as to throw great doubt over his narrative, where it is not supported by more sober authority.

carts laden with tents, which fell into the hands of general Bland, arrived there in safety by the dawn of the morning.*

Charles, as he marched south, left in Carlisle a garrison of two hundred and fifty men, and he now increased it to three hundred, consisting of his Manchester regiment, the colonel of which, Mr. Townley, he made governor of the town, and of detachments from the Low country regiments, some Irishmen, and a few Frenchmen, under the command of Mr. John Hamilton, a gentleman of Aberdeenshire, who was left in charge of the castle, for strengthening which he left them eleven of the small pieces of artillery he had carried with him all the way, and brought safely back, having never so much as fired one of them. This was probably done with the view of detaining the duke of Cumberland for a day or two, till he could secure his army among the fastnesses of Scotland; for, foolish and sanguine as Charles certainly was, we cannot suppose he had now any thoughts of being able again to enter England, far less of doing so in time to relieve a fortress that was unable to resist even his own feeble means of attack for more than three days. Like the rest of his followers, this little band seem to have been devoted to his service, and proud of the charge with which it was intrusted. On the morning of the twentieth Charles set out for Scotland, abandoning the garrison to its fate, which was very soon determined. He reached the Esk, which was very much swollen by the rain, a little before three o'clock in the afternoon. There was no time to deliberate; the river seemed to be on the increase, and might soon be impassable; the duke of Cumberland was behind him, and might soon compel him again to an unequal combat. The cavalry were instantly formed in the river in two divisions, leaving a space between them for the foot to pass across, the division above breaking the force of the stream, and the division below being ready to assist any that might be carried off their feet by its force. The men formed themselves into ranks of ten or twelve abreast, with their arms locked in one another, so as to support them against the rapidity of the stream, and in less than an hour the whole had passed, without

* Lockhart Papers, vol. ii. pp. 497, 498. Home's History of the Rebellion, p. 109. Scots Magazine for 1745.

the loss of a man. Fires were kindled for them to dry and warm themselves at on coming out of the water, the bagpipers began to play, the Highlanders to dance, and the chagrin they had nourished since leaving Derby appeared to be lost in the joy of once more beholding their native land.*

In this march the rebels had certainly equalled, if not surpassed any former achievement of their countrymen. They had been forty-three days in England; had penetrated two hundred miles into the country; had quartered themselves upon the best citizens, and lived in a sumptuous manner at their expense; they had uplifted all the public money as they went along, with whatever sums they found had been subscribed by individuals for supporting the government in the present crisis; they had also plundered, though individually upon a small scale, in every place where they had been, to a very considerable amount; and they had returned better fed, and the greater part of them much richer than they had ever been at any previous period of their lives, without having seen, except the small detachment of dragoons at Clifton, the face of an army to oppose them; and according to their own accounts, by all accidents, sickness, such as straggled abroad to plunder and never returned, &c. &c. they did not lose above forty men, including the twelve that were killed at Clifton. For this success they were indebted partly to the zeal of their English friends, who were unceasing in their clamours of a French invasion, which they seem to have succeeded in making the nation believe would most certainly be made, partly to ignorance and imbecility on the part of the then administrators of the government, and above all to the shameful inactivity of the army under the orders of marshal Wade. Had that general conducted himself in any degree suitably to the trust reposed in him, their fate would most certainly have been the same as that of their countrymen in 1715, and it would most probably have overtaken them in the very same place. As it was, they had certainly a very narrow escape, as the king's dragoons entered Penrith on the morning of the nineteenth, and marched a part of them on to Hesket, where

* Lockhart Papers, vol. ii. pp. 464, 498. *Memoirs of the Rebellion*, by the Chevalier de Johnstone, pp. 99, 100. *Home's History of the Rebellion*, pp. 109, 110.

they were only eight miles from Carlisle, where the whole body of the rebels at that time lay. The duke of Cumberland, however, satisfied it would appear, with having driven the rebels out of England, thought it prudent to refresh his troops with a day's rest at Penrith, and on the twenty-first, at four o'clock in the morning, marched in three columns towards Carlisle, the infantry in the centre keeping along the post road, and the horse in two columns moving one on the right by Armathwate, and the other on the left by Hutton Hall. The whole united on Carlton muir, and by mid-day, Carlisle was invested on all sides. On the Scottish side, major-general Bland, with St. George's dragoons, and three hundred men of Bligh's regiment, shut up the passage by the bridge over the river Eden, which leads directly to the Scots gate; major Adams, with two hundred foot posted in the suburbs of the English gate, prevented effectually all egress by that way; major Moriac with a detachment did the same by the Irish gate; and Sir Andrew Agnew, with three hundred men, had the charge of the Sallyport. The remaining troops were cantoned around the town at a mile or two distant, and the garrison, to show their determination, fired their cannon on every one who came in sight of it.*

Notwithstanding the city of Carlisle was thus invested on the twenty-first, as the duke had no cannon, there was nothing further done till the twenty-seventh that artillery was brought from Whitehaven, and on the morning of the twenty-eighth a battery began to play upon the city, the garrison of which kept up an incessant fire which did little or no damage. Want of shot caused a cessation on the part of the besiegers on the twenty-ninth, but on the morning of the thirtieth they commenced firing from a new battery with the most fatal effect. The garrison hung out the white flag, and after some altercation the following was sent in to them from the duke:—"All the terms his royal highness will or can grant to the rebel garrison of Carlisle are, that they shall not be put to the sword, but be reserved for the king's pleasure. If they consent to these conditions, the governor and principal officers are to deliver

* London Gazette, December 26th, 1745.

themselves up immediately, and the castle, citadel, and all the gates of the town, are to be taken possession of forthwith by the king's troops. All the small arms are to be lodged in the town guard-room, and the rest of the garrison are to retire to the cathedral, where a guard is to be placed over them. No damage is to be done to the artillery, arms or ammunition. Head-quarters at Blackhall, December thirtieth, half an hour past two in the afternoon. By his royal highness' command," &c. &c.

In answer to this the following paper, signed John Hamilton, was returned about four o'clock :—"The governour of Carlisle, and haill officers composing the garrison, agree to the terms of capitulation given in and subscribed by order of his royal highness, by his grace the duke of Richmond, Lennox, and Aubigny, lieutenant-general of his majesty's forces, recommending themselves to his royal highness' clemency, and that his royal highness will be pleased to interpose for them with his majesty, and that the officers' clothes and baggage may be safe, with a competent time to be allowed to the citizens of Carlisle to remove their beds, bedclothes, and other household furniture, impressed from them for the use of the garrison in the castle. The thirtieth of December, 1745, at three o'clock in the afternoon." The town was of course surrendered immediately, and the duke was to enter it next day.

The garrison consisted of, Englishmen, officers twenty-one, non-commissioned officers and privates ninety-three, in all one hundred and fourteen; Scottishmen, officers eighteen, non-commissioned officers and privates two hundred and fifty-six, in all two hundred and seventy-four; Frenchmen, three officers, one sergeant, and four private men, in all eight, the whole making a total of three hundred and ninety-six men. Among the above were seven that had deserted from the king's army at Prestonpans, and joined the rebels, who, with four others of the same kidney, were hanged at Harriby. The others were all sent to different prisons, and all the principal men of them, among whom was James Cappock, who was by Charles created bishop of Carlisle, and Thomas Sydall, son to Thomas Sydall, who we have already seen was hanged at Manchester for the

rebellion in the year 1715, were executed.* The duke, with all his army, entered the town of Carlisle on the first, and, leaving general Hawley in the command, on Thursday, the third of January, set out for London, where he arrived on Sabbath, the sixth, about seven o'clock in the morning.

Though few of the English people ventured to take arms for the pretender and his son, yet there were not a few of them that were very hearty in the cause, and could they once have seen a rational hope of succeeding, would have come forward with great cheerfulness. As it was, they did not fail in a clandestine manner to do all in their power to increase the uneasiness that possessed the public mind, and to embarrass the regular operations of government, by publishing false and disastrous reports, dispersing treasonable papers, &c. &c. Of these practices the Catholics, and especially the priests, were naturally suspected to be the most guilty, and accordingly on the seventh of December, when the ferment on account of the progress of the rebels was at its height, a proclamation was issued against Jesuits and popish priests, forbidding any of them to be found in the cities of London and Westminster, or within ten miles of the same; and, as it was an obvious fact that these characters were sheltering themselves under the protection of the catholic ambassadors from foreign countries, a clause was added, excepting "such popish priests, not being his majesty's natural born subjects, as by the law of this realm are permitted to attend foreign ministers." This the papists took heinously amiss, and they complained to the foreign ministers, who accordingly transmitted a memorial on the subject to his majesty's secretary of state, complaining of the proclamation as a violation of the law of nations, and craving that individuals arrested under it might be immediately set at liberty, and that those servants of the crown, who had been the instruments of their seizure, might be severely punished. To this impertinent piece of sophistry, his majesty's secretary of state made a very plain, mild, and manly reply, and, as the so much expected invasion did not take place, the foreign ministers seem to have

* London Magazine for 1745. Marchant's History of the Rebellion, p. 255. Ray's Complete History of the Rebellion, p. 212.

acquiesced in the doctrines therein laid down without further argument.*

On the twelfth, Francis Archangel Montfort, a popish priest, was apprehended for treasonably remaining in the liberty of

* As this correspondence is not a little curious, and may be somewhat instructive, it is here subjoined:—"My lord, we, the underwritten, have seen with equal grief and surprise, that the law of nations has been violated by the clause of the proclamation published the 6th of this month, against the Roman Catholic Ecclesiastics, purporting, that the foreigners only in the service of foreign ministers were excepted, and declared exempt from the penalties pronounced by the said proclamation.

"The immunities and prerogatives reciprocally due to the ministers of all courts, do not respect their own persons only, but extend to those of all their domestics also, without difference as to number or employment, and still less as to their countries.

"The proclamation establishes a distinction of persons, by restraining the privileges to those who are foreigners, whereby this proclamation equally violates our essential immunities, and our most valuable prerogatives. To which must be added, that as there is a scarcity of foreign priests in London, and as we did not provide ourselves with any, by reason of the custom established from time immemorial, of making use of those of this country, the distinction or execution of the clause above mentioned would end in taking from us, or preventing the exercise of religion, which is allowed in all countries, and is due to the character, and to the families of the representatives of princes in their own houses.

"And although our rights be firmly and fully established by the law of nations, we have besides the satisfaction of knowing them to have been acknowledged by the parliament, the seventh year of the glorious reign of queen Anne.

"That act is solemn and celebrated, because supplying the defect of former laws, it tends, as the queen declares in her letter to the czar Peter, to prevent for the future all offence or violation of the privileges, as well of ambassadors as of other foreign ministers.

"The said act expressly declares, that whosoever should dare to arrest, or sue at law, any of the said ministers, or of their servants, without the least distinction, is guilty of a violation of the law of nations.

"It is to be observed, that as that act excepts only tradesmen, and other merchants subject to bankruptcy, who should enter into the families of ambassadors, or foreign ministers, every other person belonging to them, without difference as to nation, employment, or number, is to enjoy all their privileges, and all their immunities.

"Being therefore confident that the committing so sensible an offence against the law of nations, is very far from the king's intentions, and the prudence of his ministers, we thought ourselves at first obliged to represent to your excellency, by word of mouth, as we did, the above mentioned considera-

Westminster, in defiance of this proclamation, as was Pierce Fitzgerald, for "feloniously, wittingly, and willingly receiving and maintaining the said Montfort, and several other popish priests, knowing them to be so." The same day advices were received

tions, with our desire that you would lay them, in a respectful manner on our part, before his majesty, to the end that he might be pleased to give clear and precise orders for redressing the said clause, as being directly contrary to the immunities and privileges which all our domestics ought to enjoy, without exception.

"But at the time that we were expecting the redress of the said clause, and even before we had any answer from your excellency, a domestic of the envoy from the king of Portugal was violently arrested, and carried to the common gaol where all malefactors are confined, put in irons, where he is still detained.

"We cannot pass in silence the very aggravating circumstance, that the certificate, which proved him to belong to the family of that minister having been produced to the justice of peace, he protested, that such a certificate did not protect any of the nationals.

"Another offence was committed by the orders given to arrest a domestic of the ambassador of Venice.

"The justice having seen and even acknowledged the certificate of that ambassador, declared, that at present he could pay no regard to it. And what is more, the constable declared besides, (as your excellency will be pleased to observe by the enclosed paper,) that he would arrest that domestic in the house of the ambassador himself.

"All these insults and offences oblige us indispensably to demand, that, in expectation of the orders of our sovereigns, the domestic of the Portugal envoy be immediately set at liberty, and that the magistrates may be directed to acknowledge what appertains to the immunities and privileges of the families of the foreign ministers.

"In expectation of the said orders, we cannot abstain from demanding moreover, that the audacious behaviour of the said constable may be severely punished, the usage of many ages leaving no room to doubt, but that the houses of ministers ought to be respected in the same manner as those of the princes themselves whom they represent; and it being also notorious, that in the most heinous cases of state criminals, no prince would proceed to that extremity, without having first demanded back from the ambassador, the person accused.

"By these considerations we find ourselves obliged to take another step still more indispensable than the former, viz. to prevent all delay of redressing the clause above mentioned, and of giving us satisfaction upon our complaints herein set forth, by protesting all of us together, as we do by this memorial, and as is proper for the preservation of our rights, and of those of our successors, against the said clause, as also against every thing that has followed upon it, or may follow, and against every other consequence, till such time as

that an embarkation of troops was going on at Dunkirk, the vessels intended for that purpose being most of them already collected there. The militia of the maritime counties were of consequence called out with all expedition, alarm posts were

we can give an account to our respective sovereigns, and receive suitable orders from them.

" Having regard, particularly, in the present situation, to the intentions of the princes whom we have the honour to serve, we renew the declaration made to your excellency by word of mouth, and of our own accord, viz. that if any one of our domestics were guilty of, or an accomplice in any crime against the government, we are ready to dismiss him from our service, and to withdraw the protection, as well as the certificate, wherewith he should be provided.

" We have the honour," &c. &c.

N. B. The above letter, in French, was signed by Monsieur de Wasner, minister plenipotentiary of their imperial majesties; the count de Haslang, minister plenipotentiary of his most serene highness the elector of Bavaria; and Monsieur de Champigny, minister of his most serene highness the elector of Cologne.

Another letter of the same purport, in Italian, was signed by Signor Capello, ambassador from Venice; Monsieur Gastaldi, minister of Genoa; and Monsieur Caettano, the Portuguese secretary.

A third, in the same language, by the Chevalier Osorio, envoy extraordinary from the king of Sardinia, and Monsieur Pucci, charged with the affairs of his Imperial majesty for the great duchy of Tuscany.

Answer by his Majesty's Secretary of State.

" Gentlemen,

" I have not failed to acquaint the king with the contents of the letter which you honoured me with on the 16th of last month, wherein you complain very bitterly, and even protest against what was inserted in the proclamation published the 6th, with respect to Roman Catholick priests, being his majesty's subjects, who should be in the service of the foreign ministers, insisting upon an unlimited protection in favour of all those whom you call by the name of your domesticks, ' without difference as to number or employment, and still less as to their country.'

" I am to answer you by his majesty's command, that he is very far from intending to infringe the privileges and immunities of ambassadors and other foreign ministers, granted to them by the law of nations, and consistent with the laws of this country.

" Neither does the king think that they have been violated in the least by the said proclamation. First, As to what concerns the law of nations, it is absolutely necessary that the privileges which it establishes, should be consis-

appointed, and proper signals agreed upon for giving notice to the several guards, that were to be in readiness to march upon the first notice of any tumult or insurrection, within the cities of London and Westminster. These preparations were followed

tent with the internal welfare and security of the countries where the ministers reside.

“ Now the number of national Roman catholic priests, who swarm more than ever in this town, was found dangerous to the state, especially at a time of open rebellion in favour of a pretender of the same religion. Their secret plottings against the king’s government, whereof his majesty has many indications; their injurious discourses, nay, even their threats, and the daily conversions which they make of his majesty’s protestant subjects to the Roman catholic faith, (tho’ by these very conversions they are liable to the punishment enacted by the laws against persons guilty of high treason.) All those circumstances together had given so great uneasiness, that it was absolutely necessary to provide a remedy against them.

“ The protection, therefore, which his majesty owes to his own subjects, would not allow of his any longer suffering persons of that kind, irreconcilable enemies to his government, to remain in the heart of his dominions.

“ As to what you allege, gentlemen, concerning the free exercise of your religion in your own houses, the king does not dispute it; the law of nations authorises you to claim it.

“ If the question were only about private chapels for your own families, served by your domestick chaplains, duly qualified, nobody would have any thing to say against it.

“ But is that really the point in debate? I appeal to your own selves.

“ Are not open chapels maintained, under colour of publick protection, with an enormous number of priests out of the houses of the ministers who lend their names to them? Is it for the use of the minister’s family, that mass is therein celebrated from morning to night! or rather for the sake of furnishing his majesty’s converted subjects with opportunities of being present at it against law?

“ Is there any Roman catholick country where such an extension of their privileges is allowed to protestant ministers? Is there any such thing practised at Vienna, at Paris, or at Madrid?

“ It is true that this has been winked at in times when the religion of the country was not openly and forcibly attacked.

“ It does not however follow, that a natural right is given up, because it is not vigorously exercised.

“ I come, in the second place, to the laws of this country, which are appealed to by the Roman catholick ministers in their letter, equally with the law of nations, they quoting therein the act of parliament of the 7th of queen Anne, and I shall very readily allow them that it is as they style it, ‘ a solemn and celebrated act, supplying the defect of former laws, and tending

in a day or two by a proclamation for watching the coasts; and, upon the approach of an enemy, directing "that all horses, oxen, and cattle, with all manner of provisions, be as far as possible conveyed inland, so as they may not fall into the hands of the

to prevent, for the future, all offence or violation of the privileges, as well of ambassadors, as of other foreign ministers.'

"But it must be considered, at the same time, that this act, as appears by the whole tenor of it, relates solely to lawsuits, and civil arrests upon account of debts.

"And, accordingly, it was upon occasion of a foreign ambassador's being detained for debts, that it was passed; and it was in that point only that it was found necessary, and intended to supply the defect of the former laws, in as much as there were none before in being upon that subject.

"Would any one infer from thence, that the intention was to authorise foreign ministers to protect state criminals, disturbers of the publick peace, or persons dangerous to society, or suspected by the government upon any account whatsoever?

"Or can it be thought that in supplying the defect of the former laws, it was meant to abolish the most essential and fundamental ones of the country? Amongst these last, there are none held in greater veneration by a protestant people, than those which forbid, under severe penalties, the celebrations of mass by national priests. Of this kind there are several acts of parliament still in full force, passed, repeated, and even enforced at different times since the beginning of the reign of queen Elizabeth. I shall mention one, which does not allow them to celebrate it even in the houses of foreign ministers. It is the act of the 11th and 12th of William the Third: an act not above eight or nine years prior to that above mentioned of queen Anne; it is therein expressly declared, that no subject of the king's, whether natural born or naturalised, may celebrate mass, even in the houses of foreign ministers; and that the names and places of nativity even of the foreign priests, whom they shall make use of, shall be registered in the office of the principal secretary of state.

17 "But suppose that this act of queen Anne were as unlimited as it is pretended.—The ministers do admit of one exception to what they call their privileges, with regard to tradesmen, and in general to such persons as may become bankrupts; will they not admit of any, when the question is about the public security, and the very existence of the government? The law of nations can certainly never be contrary to that, and can consequently give no title to exclaim against a remedy, which has been necessarily made use of to obviate the dangers justly apprehended from the popish priests; and especially if it be considered that the necessity of applying that remedy was partly owing to the abuse of the indulgence of past times by the protected priests.

"To conclude: the Roman catholic ministers may rely upon the king's protection for their persons, for their families, and for the exercise of their

enemy." At the same time the utmost activity was carried into every department of the navy, and the coast was everywhere guarded in such a manner as that no enemy, but with a very superior force, could possibly approach it with any hope of success.* But to enter fully upon these matters would lead us into discussions very remote from Scottish history, to which, having given these very brief notices, as in some measure explaining the seeming inattention on the part of government to the affairs of that country, we most gladly return.

When Charles passed into England, although Scotland was destitute of troops, and was not plentifully supplied with the means of raising them, he lost his hold upon the whole of the south and south-west of that country, nor was his hold upon the north of it any thing like so certain as he imagined. His retainers sent out small parties into the passes on the road to Inverness, who searched, and very generally robbed all passengers, and he

religion in their own houses, according to the law of nations, and according to the usage of all other countries with regard to ministers of a different religion from that which is established in the country where they reside.

"The king does, not pretend to subject the foreign ministers to his ordinances; but he has a right to require the obedience of his own subjects to the laws of their country. He has not the power to dispense with it, and we know of no foreign protection that can do it.

"His majesty therefore has reason to expect, that upon this exposition of the reasons and justice of his proceeding in this affair, the Roman catholic ministers will be pleased to discharge from their service every popish priest who is a subject of the king's; and that they will for the future make use of foreign ones only, his majesty not being able to persuade himself, that any foreign powers in alliance or friendship with him, as those are, whom you, gentlemen, have the honour to represent, would insist, under the name of privilege, upon things prejudicial in the highest degree to the government of the country where you reside, on their part, and contrary to its ancient and fundamental laws, upon which the king's proclamation which you complain of was built.

"As to what remains, if it be true that an officer of justice did make use of the expressions imputed to the constable, who is mentioned in your letter, with regard to the house of the Venetian ambassador, you may be assured that his majesty entirely disapproves them, and that the necessary inquiries shall be made, in order to cause such satisfaction to be given to his excellency as shall appear to be due.

"I am," &c. &c.

* Scots Magazine for 1745. London Magazine for do. &c. &c.

had a few men at Perth, where the head-quarters of his army in Scotland were fixed; but even here parties were so balanced, that on the thirtieth of October, his majesty's birth-day, about one hundred maltmen, and other trades lads, possessed themselves of the church and steeple, and began to ring the bells, about noon, in honour of the day. Oliphant of Gask, who had been appointed governor of the city by Charles, sent to desire them to desist; but they refused, and continued ringing. Oliphant with his small guard, and a few Jacobite gentlemen, posted themselves during the afternoon in the council house, in order to secure four hundred stand of arms belonging to the Highland army, that were lodged there and in the adjoining tolbooth. Night had no sooner set in, than some other gentlemen in the same interest, from the country, with their servants, joined their friends in the council house. The rabble, in the mean time, kindled bonfires in the street; the loyal party began to illuminate their windows, and the mob proceeded to break every one that wanted this mark of patriotic and loyal feeling. This outrageous behaviour of the mob, provoked a small party from the council house to attempt to disperse them; but they were too few in number—the mob rushed in upon them, disarmed and wounded them. The mob then took possession of the main guard—rung the fire bell in order to raise the town—and Oliphant refusing to yield them up the council house and the arms, hostilities were continued till a late hour in the morning. An officer in the French service was killed in the council house, and three or four wounded. Of the mob, four were wounded, one of whom died shortly after. Sixty of lord Nairn's men were brought into the town next day, and about one hundred and thirty Highlanders, when those chiefly concerned in the riot fled to Stirling.*

The same day, general Blakeney having notice that the rear of the rebels who were bringing the arms south that had been landed at Montrose, were to pass the Forth at Alloa, despatched captain Abercromby from Stirling, with a few soldiers, and a number of countrymen, who attacked them, wounded some, and made a number of prisoners. They also succeeded in car-

* Scots Magazine for 1745. .

rying off a number of cows, horses, baggage, arms, money, and letters, all which they carried safely into Stirling castle the same night.

Glengyle, chief of the clan Macgregor, who had been appointed governor of Innersnaid, Down, &c. by Charles, having gone with a party into Argyleshire for the purpose of forcing out men, was attacked by three companies of lord Loudon's regiment from Inverary, under the command of their lieutenant-colonel, John Campbell, Esq. and compelled to retreat, with the loss of two men killed, and eighteen taken prisoners.*

Public worship was resumed in a number of the churches in Edinburgh, on the third of November—in all of them on the tenth; and happily it was not again interrupted. The presbytery of Edinburgh, and the synod of Lothian and Tweeddale, complimented the commanders in the castle, for their vigilance in the late time of danger; and a letter was published from the presbytery of Dornoch, to the earl of Sutherland, thanking his lordship for his early appearance in favour of our happy constitution, and for sending so many of his people to be employed against the rebels.

Previous to the rebels entering the city of Edinburgh, the lord justice clerk, Mr. Dundas, solicitor, and others of his majesty's servants, retired to Berwick; but no sooner had Charles departed, than they prepared to resume their various functions. The lord justice clerk, and some others of the lords of justiciary, returned to the city upon the twelfth of November, accompanied by the earl of Home, and lord Belhaven, high sheriffs of the counties of Berwick and East Lothian, Mr. Alexander Lind, sheriff-depute of Edinburghshire, and a great number of gentlemen belonging to these and to the neighbouring counties. At the cross they were met by a great many persons of distinction, who conducted them to the parliament close, where they alighted, and were saluted by a round of the great guns from the castle, the ringing of bells, and the loud huzzas of a joyous people.

The whole company assembled in the parliament house, when the lord justice clerk spoke as follows:—"My brethren and I

* Scots Magazine for 1745.

have thought it our duty to our king and country, to you as well as to ourselves, to lay hold of the first opportunity providence put in our power, by the departure of the rebel army from this part of the country, to return to this capital, and with your help, gentlemen, to endeavour to restore and preserve the peace of this city and adjacent country, and as far as lies in our power, to revive the civil government, and to shew to his majesty, and the world, how little accession the south part of Scotland has had to the recent calamities it has felt, which the government yet feels in the most sensible manner.

“ But as military force is necessary for protecting this city and country, so long as the open rebellion subsists, we have the pleasure to acquaint you, that field marshal Wade lost no time in ordering a body of troops to march to this city.

“ As in coming to this place we have been honoured with the company of the high sheriffs and you, gentlemen, we look upon it as a mark of your zeal for the speedy and effectual re-establishment of his majesty's government, in which, if the present troubles do not very soon subside, your help, gentlemen, may be of very great service; for, indeed, while the rebels keep the field, we must, both in city and in country, consider ourselves as in a state of war, notwithstanding the present glimpse we have of some peace and quiet, so that it is still necessary that provision be made for preventing any future disturbances from the rebels or their assaults.

“ May we therefore presume to recommend it to the heritors of every parish, to make up lists of all the able bodied men in their respective bounds, proper to be trusted with arms, in which great assistance may be got from the reverend ministers of the established church, who, as they always do, have on this occasion given testimony of their great zeal for his majesty's government. And we recommend it to the sheriffs now present, to give notice to the heritors that are absent; and we recommend it to them to deliver their lists to their respective sheriffs, to be by them transmitted to such person or persons as his majesty shall appoint for that purpose. The sooner that these lists be made up and transmitted, so much securer the present tranquillity will be.

“ As I have in my eye a great many of the inhabitants of

this ancient city, I cannot omit condoling with them on their late dismal situation, and their present want of a regular government. I hope his majesty will in due time take their case under his royal consideration, and that he will soon be convinced of the loyalty and zeal of by far the greatest number of the inhabitants of this city. For arming such, if found necessary and expedient, proper orders are given by field marshal Wade; meantime, what assistance my brethren or I can give for preserving the peace of this place, shall not be wanting. Thus I have endeavoured, as far as I have been able to recollect, to deliver to you, gentlemen, the united sentiments of my brethren and me on this occasion."^a

This was all very well of his lordship, only it was a little too late. Had he, and all others in his station, acted upon these doctrines two months earlier, Scotland might have been saved much real loss, and an incalculable quantity of suffering, and England the disgrace of having given free quarter, for six weeks, to a hostile rabble of undisciplined Highlandmen. His lordship, however, we believe, had somewhat of an English feeling, and supposed that the Highlandmen, after having got some weeks' good living, some little plunder, and an assurance that they should have plenty of fighting and hard blows at last, would withdraw quietly to their native mountains, and for a time be no more heard of. Be this as it might, lieutenant-general Handyside arrived in town from Berwick next day, with Price's and Ligonier's foot, and Hamilton's and Ligonier's (late Gardiner's) dragoons; and the people, from the excellent behaviour of these troops at Gladsmuir, could not but be highly encouraged to go on with their military preparations! The adventure of the coal pit at Dauphinston, and the consequent race to Dunbar, could scarcely be forgotten, however they were all quartered within the city, Hamilton's dragoons excepted, who were placed in the Canongate, and as there were at that time no magistrates in the city, they were so placed by a warrant from the lord justice clerk, the lords Minto, Elcheis, and Drommore, as justices of the peace.

On the twentieth, measures were adopted for arming the

• Scots Magazine for 1745.

thousand men which had been agreed upon before Charles entered the city, and which for the want of time had not been accomplished. On the twenty-seventh, in a meeting of the freeholders of the county, it was resolved, that the capital was of such importance, that no means ought to be left untried to preserve it from again falling into the hands of the rebels. Letters were therefore ordered to be sent to the several clergymen in the county, requesting them to be assisting to the heritors in their several parishes in preparing lists of able-bodied men, to be forthwith levied, armed, and trained for the defence of the city, in case of its being again threatened by the rebels; the expenses to be defrayed by the county.*

Every thing in Edinburgh was now perfectly quiet; the banks had resumed their operations, and business seemed to be following its usual course. The roads, however, were very insecure, being infested with deserters, whose necessities, perhaps, rather than their inclinations, led them to commit robberies and thefts of various descriptions, which rendered them highly obnoxious to the inhabitants in general, who lost no opportunity of seizing upon, and delivering them up into the hands of justice. In this way Mr. Spalding of Whitefield, an agent for Charles, was apprehended going on an embassy to the north, and sent prisoner to the castle of Edinburgh, as was Macdonald of Kinloch Moidart, at Lesmahagoe, as he was hasting to join Charles in the south. He had been despatched, before Charles left Edinburgh, on a particular message to Sir Alexander Macdonald and the laird of Macleod, both of the island of Skye. His particular business was to bring them both up, with all their people, to the assistance of Charles; but he was totally unsuccessful, both having by this time taken decidedly the part of the government. The following letter from J. Murray, the secretary of Charles, found upon Kinloch Moidart when he was taken, shows pretty clearly the system of delusion under which the Highland chieftains were led into measures so destructive to themselves, as well as to the tranquillity of the country:—"His royal highness has judged it necessary to send your brother Allan to meet you with this letter, to desire you to give it out wherever

* Scots Magazine for 1745.

you come, that Sir Alexander Macdonald and the laird of Macleod are actually on their march, though you may have received contrary information. He likewise desires you to make all haste to come up, when I shall satisfy you how necessary it is to keep these gentlemen's delay a secret,—I am," &c. &c. The reason for keeping the conduct of "these gentlemen" a secret was simply this, they had signed the agreement with the other chiefs, to be assisting to restore king James in the year 1743, under which agreement, those who had taken arms supposed themselves still to be acting; and several of them, convinced of the necessity of unanimity, and that all the forces they could collect were necessary, had threatened, if these two chiefs did not immediately come forward, to return home.*

While Edinburgh, and the authorities there stationed, were thus labouring to regain their lost honour, the city of Glasgow was nobly exemplifying that high character for patriotism and public spirit, which she had so long maintained, by raising two battalions of six hundred men each, for the public service. These two battalions were placed under the command of the earl of Home, who, with two troops of dragoons, came immediately to the city to take charge of their training, which was carried forward without a moment's loss of time. The town of Stirling itself raised four hundred men, who were placed under the orders of the gallant general Blakeney. Indeed Glasgow and Stirling, with the parishes and places adjacent, did not raise less than three thousand effective men.

The friends of Charles were at the same time particularly diligent, and throughout Angus, the Mearns, Banff, and Aberdeenshires, men were raised for his service in very considerable numbers. In the two latter places, especially, lord Lewis Gordon, brother to the duke of Gordon, who acted as lieutenant for Charles, was particularly active, and very successful. As governor of Aberdeen, he proclaimed James VIII. king, and his son Charles prince regent—deposed the lord provost and magistrates, and appointed others whom he supposed would better serve his purposes;† and as lord lieutenant of the counties

* Scots Magazine for 1745.

† The following is Mr. Morrison, the lord provost of Aberdeen's account, of that affair, in a letter to the lord president, dated October 10th, 1745:—

of Banff and Aberdeen, he ordered a levy to be made of an able-bodied man, with sufficient Highland clothes, plaid, and arms, or five pounds sterling for every hundred pound Scots of valued rent. This harsh measure he enforced by sending out parties to burn the houses, corn, and planting upon the estates of such as did not comply. By such means he raised a regiment of two battalions; the one commanded by Gordon of Abbachie, and the other by Moir of Stoneywood.

In all his operations, at this time, lord Lewis Gordon was favoured by a number of concurring circumstances. Captain Beaver, of the Fox man of war, who, from almost the first approach of the rebels, had kept his station in Leith Roads, and attended his duty with such unceasing vigilance, that neither vessel nor boat of any description could get either out or in to the rebels, was about the middle of November wrecked in a violent storm, his ship staved to pieces, and himself, with all his gallant crew, drowned. A custom-house yacht, laden with arms for the lord president's companies at Inverness, was about the same time lost on the cape at the mouth of the Tay; the crew, however,

" My lord,

" The place you hold under his present majestie, and the so faithfull pairt your lo^p has acted in your high station for the interest of his sacred person, and all that's dear and valuable to Great Britain at this juncture, makes me presume to trouble you with what follows.

" I am just now at some distance from Aberdⁿ and from my famiely, not thinking myself safe to be in the way of those who had used me in so unreasonable odd a manner, as was my fate the 25th past; when being seized upon by an armed party of Highlandmen, was violently forced down to the cross, and there, with some broadswords over my head, was obliged to stand till their proclamation was read: and because I refused to drink a health they proposed, I had a glass of wine spilt down my breast; which was, I acknowledge, making me suffer in a way next to taking my life, that non could have affected me more. In so farr they gott what they aimed at; but sure it was no advantage to their cause. It is my great support, that what I underwent on this occasion, was for endeavouring to be faithfull in the discharge of my duty in my station, under the present happy establishment, and w^{ch} I hope I shall ever esteem it my greatest honour to doe, as providence shall give me opportunitie. I will take a more convenient time to inform your lo^p of a message being sent them, to qualifie otherways than we had done. In the forenoon they thought fit to disperse; for my part I had gone out of town, and almost ever sence have scarce seen my own house."—Culloden Papers, pp. 419, 420.

were happily saved. The Hazard sloop of war also fell into the hands of the rebels, in the harbour of Montrose, who immediately carried her guns ashore, and applied them to their own purposes, particularly for making a battery to command the harbour. The Hazard they fitted up for themselves, named her the Prince Charles' snow, and gave the command of her to a shipmaster who had been instrumental in taking her, and whose ship she had previously burnt. But what gave them more encouragement than all other circumstances put together, was the arrival of lord John Drummond, brother to the duke of Perth, with a body of troops in the service of France, consisting of his own regiment, the royal Scots, the piquets of six Irish regiments, with Fitzjames' regiment of horse; of these, however, he had not more than two troops, scarcely amounting to fifty men each, for though the whole regiment was embarked, the vigilance of the English cruisers was such, that the remainder were either taken or driven back to Dunkirk.*

Immediately on his landing, lord John Drummond emitted the following declaration:—"We, lord John Drummond, commander-in-chief of his most Christian majesty's forces in Scotland, do hereby declare, that we are come to this kingdom with written orders to make war against the king of England, elector of Hanover, and his adherents, and that the positive orders we have from his most Christian majesty are to attack all his enemies in this kingdom, whom he has declared to be those who will not immediately join or assist, as far as will lie in their power, the prince of Wales, regent in Scotland, &c. and his ally, and whom he is resolved, with the concurrence of the king of Spain, to support in the taking possession of Scotland, England, and Ireland, if necessary, at the expense of all the men and money he is master of, to which three kingdoms the family of Stuart have so just and indisputable a title. And his most Christian majesty's positive orders are, that his enemies should be used in this kingdom in proportion to the harm they do or intend to his royal highness' cause. Given at Montrose,

* Scots Magazine for 1745. Marchant's History of the Rebellion, pp. 230, 231.

the second of December, 1745. J. Drummond." This, with the exaggerated accounts which he gave of the forces he had brought along with him, elevated the Jacobites to the highest degree, and the greatest excesses were committed, and the most grievous oppressions openly exercised. Men were everywhere pressed into their service, and gentlemen were assessed in fifty, a hundred, and some in two hundred pounds sterling, in a manner the most capricious and arbitrary. Illuminations were ordered at Dundee for the arrival of this aid from France, and the windows not illuminated were broken without distinction; some of them they fired sharp shot into in the most brutal and barbarous manner.*

To put a stop to such proceedings, lord Loudon, who had now collected a force of nearly two thousand men, after having, as we have narrated, secured, as he supposed, lord Lovat at Inverness, despatched Macleod of Macleod, with four hundred and fifty of his own men, whom he had brought from the isle of Skye, and two hundred Munroes, commanded by Munroe of Culcairn. Macleod marched forward to Elgin, where he learned that the rebels had taken possession of the boats on the Spey, at Fochabers, and intended to dispute the passage with him. When he advanced to the banks of that river, however, on Sabbath the fifteenth, he found that they had withdrawn, leaving him a free passage. On the sixteenth and seventeenth, he advanced by Cullen to Banff. On the seventeenth, captain Munroe, with his two hundred men, advanced by Keith to Strathbogie, and having been joined on his march, by Grant of Grant, with five hundred of his clan, the rebels fled before him towards Aberdeen. Unfortunately, the return of some of the Highlanders recalled Grant and his people to defend their own homes; and, on the nineteenth, it was determined upon by Macleod and Munroe, to march the next morning, the former from Banff to Old Meldrum, and the latter from Strathbogie to Inverury, which is twelve miles from Aberdeen. On the twenty-third, lord Lewis Gordon having received a re-enforcement from lord John Drummond's regiment, marched with that, his own regiment, and three hundred Farquharsons, commanded

* Marchant's History of the Rebellion, p. 260. Scots Magazine for 1745.

by Farquharson of Monaltry, and surprised and defeated Macleod and Munroe, with the loss of several men killed, and forty-one taken prisoners, among whom were Messrs. Gordon of Ardoch, junior, Forbes of Echt, and John Chalmers, one of the regents in the college of Aberdeen, who were treated by the rebels with great severity.* Macleod and Culcairn escaped the best way they could, and lord Lewis Gordon shortly after proceeded to Perth.

Perth, as we have already stated, was appointed to be the head-quarters of the rebels on Charles' departure for England, and for some time the number of troops occupying it was very small. The arrival of lord John Drummond from France, and the unmolested march of Charles into England, however, determined many who had been wavering or doubtful to adjoin themselves to his cause, which they very foolishly concluded to have now the entire ascendancy. Lovat having made his escape from lord Loudon at Inverness, and fairly thrown off the mask, exerted himself, with all his peculiar cunning, to draw others along with him. The earl of Cromartie, too, with that part of the Mackenzies which he could command, rushed forward at the same time to swell the torrent of disloyalty and disorder: the recruiting in the Highlands, or rather the impressment, had also gone on well, and though the number could not be exactly stated, as there were continually comers and goers, they probably were seldom for some time below four thousand men.†

From the French ships, and from the Hazard sloop of war, they had also now obtained some artillery, and they had brought in by force some hundreds of people from the country, whom,

* Scots Magazine for 1745. The following is part of a letter on the subject from lord Lewis Gordon, addressed "to the honourable the laird of Macleod, at Duncan Forbes' house, near Inverness. Sir, I received your letter by express last night, dated from Gordon castle, the 24th. All the care in our power has and shall be taken of your wounded men, and all the prisoners that were taken under their arms shall meet with all the civility in our power. But for regent Chambers, Forbes of Eight, and Maitland of Petrichie, who have acted the infamous part of spies and informers, and the two last especially, who have given a great deal of bad advice to a certain great man who shall be nameless, it is neither consistent with my honour nor inclination to treat them as prisoners of war." Culloden Papers, p. 466.

† Home's History of the Rebellion, p. 115.

under the direction of some French engineers, they employed to repair Olivier's Mount, to throw up intrenchments, and to bring in the water of Almond to fill them. While they were thus employed, an order was sent from Charles, who had now reached Carlisle, for the whole army to march into England. This order lord Strathallan, who was commander-in-chief, with his council of officers, did not think it proper to obey, and on that account this heterogeneous assemblage of Highlandmen and Lowlandmen, Irishmen and Frenchmen, was on the point of being dissolved. Maclauchlan of Maclauchlan, who brought the order, and all the Highland officers, were exceedingly provoked at this act of disobedience, and they resolved at once to follow their prince, as they styled him, and their countrymen. This resolution, however, they found not so easy to execute; they had no money, and some of them who had last arrived had no arms. Strathallan was supported by all the Low countrymen, and by the Irish and the French. He was, besides, in possession of all the cash, and the arms, ammunition, and stores of every description were wholly under his disposal. The Highlanders, persisting in their resolution, formed several schemes for getting at the money, but without effect; and at the moment when both parties were ready to come to extremities, the controversy was ended by a second message from Charles, who was now at Dumfries, for lord Strathallan to hold himself and his forces in readiness to join the army, which was marching upon Glasgow, whence he might expect to receive further orders.*

Alarmed at this great assemblage at Perth, who, having brought up their great guns from Montrose, talked of nothing less than crossing the Forth, and laying siege to the castles of Stirling and Edinburgh at the same time, the authorities in Scotland sent Price's and Ligonier's foot to Stirling, whither part of the Glasgow and Paisley militia were also marched, the former under the earl of Home, and the latter under the earl of Glencairn. These were joined by the Stirling militia, and disposed so as to secure the bridge of Stirling, and the fords at the head of the Forth. Instead of attempting the

* Home's History of the Rebellion, pp. 115, 116.

Forth, however, the rebels scattered themselves over the country in various directions, which they continued to plunder in the most shameful manner.*

Meanwhile Charles having got safely to the north of the Eak, his army proceeded the same night in two divisions, the one, under Charles himself, to Annan, and the other, under lord George Murray, to Ecclefechan. This last division proceeded next day, the twenty-first, for Moffat, and the former into the town of Dumfries. Charles was accompanied by the French ambassador, the duke of Perth, lord Elcho, lord Pittligo, Lochiel, Clanronald, Glengary, and Keppoch; the lords Tullibardine, Ogilvy, and Nairn, accompanied lord George Murray by the way of Moffat. On Dumfries Charles imposed a military contribution of two thousand pounds sterling, one thousand pairs of shoes, nine casks of gunpowder, besides seizing all the arms in the town, public and private, horse furniture, boots, &c. Every horse found either in the town or the surrounding country was also by his orders carried off, while his motely followers robbed a great number of houses, and committed many gross outrages upon the inhabitants, and after all told them, they ought to think themselves gently used in that their town was not laid in ashes. They levied the excise, and told the people, that if they paid either excise or land tax for the future to any other than them, they might rest assured of having it to pay again, and of paying it double. Of the money they received one thousand one hundred pounds, and they carried off the provost, Mr. Crosbie, and Mr. Walter Riddel, as hostages till the remainder should be sent after them. Their baggage they left to the inhabitants to be sent after them, with certification, that if they heard that so much as a finger was moved against any of their stragglers, the hostages of the town should instantly be put to death. The damage done to the town, independent of what was done to the neighbourhood, at the lowest computation was rated above four thousand pounds sterling.†

Charles marched on the twenty-second from Dumfries to

* Scots Magazine for 1746, &c. &c.

† Marchant's History of the Rebellion, pp. 263, 264. Lockhart Papers vol. ii. p. 465.

Drumlanrig, next day to **Douglas** castle, and the next again to **Hamilton** house, where he staid one day, and enjoyed the diversion of the chase. Part of his army had entered **Glasgow** on the twenty-fifth, where he arrived with the remainder on the twenty-seventh of December.* Charles was particularly exasperated against the city of **Glasgow**, and but for the interference of **Lochiel**, who in that case threatened to leave him, would have laid it in ashes. As the price of its preservation, however, the inhabitants were compelled to furnish his followers with twelve thousand linen shirts, six thousand cloth coats, six thousand pairs of shoes, six thousand pairs of hose, and six thousand bonnets. As he had done in **England**, he here called upon the lord provost to furnish him the list of those who had subscribed to the raising of troops; but the lord provost, **Mr. Andrew Cochran**, absolutely refused to give him that information, though he told him that he was himself the most liberal subscriber to that fund. Upon the late provost, **Andrew Buchanan**, he imposed an assessment of five hundred pounds sterling, for the active part he had taken in raising the new levies. Upon the town of **Paisley** he imposed a contribution of five hundred pounds, uplifted the public money in **Renfrew**, and made heavy demands upon the surrounding country, which his after success happily did not enable him to enforce.†

* Lockhart Papers, vol. ii. p. 499.

† One of these, and a peculiarly characteristic one too, was the following, addressed to the commissioners of supply for the county of **Linlithgow**:—

“ Charles, prince of Wales, &c. regent of Scotland, England, France, and Ireland, and the dominions thereunto belonging.

“ Finding it necessary to have an immediate supply of horses, we are resolved to raise them the most equal way, levying them upon the different counties of this our ancient kingdom of Scotland, according to their respective valuations. You are therefore hereby commanded and required to deliver us, on or before the 16th day of January next, where we shall happen to be for the time, twenty-five horses, of the value of L.10 sterling each, which is to be ascertained by proper persons, to be named by us for that purpose; otherwise to pay to our secretary, for our use, L.10 sterling for each horse. And for your relief, you are empowered to meet and lay a tax upon the whole heritors, and others of the county, in proportion to their valued rents to the extent of this demand; which you are to comply with, upon pain of military execution to be done against your goods and effects. Given at **Glasgow**, the 30th day of December, 1745.” *Scots Magazine* for 1745.

As the inhabitants of Edinburgh thought themselves sure of another visit from Charles, the troops that were stationed upon the fords of the Forth were withdrawn for the defence of that city, so soon as it was ascertained that the rebels were on the march for Glasgow, which left the communication between Charles and the Highlands perfectly free, and lest any other parties might attempt to shut it, Glengyle passed over at the Frew upon floats, all the boats being destroyed, and took possession of the river on the south side. Some hundreds of the Highlanders of course passed the Forth for Glasgow while Charles was there, and the duke of Perth, with a party of one hundred and fifty, went on the twenty-eighth of December to the north, home as it was said. Small parties, indeed, were all the while going north, but whether they were deserting or marching to Perth was not known.

Living at free quarters, the Highlanders soon forgot their fatigues, and Charles, expecting to move immediately to the siege of Stirling castle, where all his forces would be wanted, sent an order for lord John Drummond, lord Lewis Gordon, the master of Lovat, and all the other chiefs in the north, to advance and meet him between Perth and Stirling. Accordingly on the thirtieth they began to move south with their artillery—two eighteen, two sixteen, and two twelve pounders, all of brass, besides iron cannon, and a large quantity of powder and ball.

On the twenty-eighth the inhabitants of Edinburgh, expecting the storm to fall upon them, resolved that orders be given for all the inhabitants to lay in a stock of provisions; that a corps of able-bodied men from the country be forthwith brought into the city, and added to the regular forces; that cannon on travelling carriages, harness for horses, cartridges for cannon, primers, &c. be instantly provided; that proper works be thrown up before all the ports and the several closes, and that all the ports that can be spared be immediately built up; that proper communications be made for the ready joining of troops round the walls; that artillery tumblers be forthwith loaded with ball and cartridges, to be sent where there may be occasion for them; and that a quantity of wheelbarrows, pick-axes, shovels, and other necessary artillery stores, be provided, together with

horses to draw the train. Next day, being the Sabbath, a paper was read in the churches to the above effect, and such of the inhabitants as intended to stay in town were exhorted to lay in at least a few days' provisions.

In the meantime express was following express to the rebels from their friends about Edinburgh, requesting them to hasten to the city before any of these resolutions should be accomplished; and, on the thirtieth of December, the joyful tidings arrived that they had called in their clothing half made, which was considered a certain signal that they would march without further delay. A small number of the militia of the country parishes came into Edinburgh on the evening of the thirtieth, and shortly after a considerable number more. Several ministers marched with their parishioners, some of them in arms. The associate congregations of Edinburgh and Dalkeith sent out no fewer than three hundred volunteers, who came in a body by themselves, and had proper colours with this inscription:—"FOR RELIGION, THE COVENANTS, KING, AND KINGDOMS." All of them had arms and ammunition delivered them out of the king's stores in the castle. The works about the city were also begun, and every preparation made for a vigorous defence. The regular troops, however, soon began to arrive, which rendered the farther prosecution of these measures unnecessary.*

The army of general Wade, which he had managed to so little purpose, was now ordered to Scotland, with part of that which had been under the duke of Cumberland, and the whole committed to the management of general Hawley, the splendour of whose actions did not greatly eclipse those of his predecessor, Sir John Cope. The troops, however, were immediately ordered to Edinburgh, and being forwarded upon horses by the gentlemen and farmers of the Lothians, they reached that city sooner than could have otherwise been anticipated. The first division, consisting of the Scots royals and Batereau's foot, arrived there on the second of January, Fleming's and Blakeney's foot on the third, major-general Huske on the fourth, Hawley, commander-in-chief, on the sixth, Wolfe's and Cholmondeley's on

* Scots Magazine for 1746. Marchant's History of the Rebellion, p. 277.

the seventh, Howard's and Munroe's foot on the eighth, and Burrel's and Pulteney's foot on the tenth. The troops were entertained at the expense of the Lothians, at Dunbar, Aberlady, &c. each soldier with a pound of beef, a pound of bread, a glass of whisky, and a bottle of ale. They were entertained by the city of Edinburgh in the same manner, and, though the previous conduct of some of them at least did not deserve it, honoured with an illumination, and other demonstrations of joy. They were billeted in the city, in the suburbs, and in Leith; but the greatest part of them were quartered in public buildings, and in empty houses, the inhabitants furnishing them blankets by direction of the constables.*

Charles having made all the necessary preparations, broke up from Glasgow on the third of January, 1746, his army marching as formerly in two columns, the one going for Stirling by Cumbernauld, the other by Kilsyth; and the whole of the articles which the city had been compelled to furnish, not being finished, Messrs. Archibald Coats and George Carmichael, merchants, were carried along as hostages till the whole should be delivered. They likewise sent back next day for printing materials and workmen, which were provided for them accordingly. Before leaving Glasgow, Charles was informed of the fate of his garrison in Carlisle, by a Mr. Gordon, and a Mr. Brown, two officers belonging to the French, who had the good fortune to escape on the signing of the capitulation. Had he been possessed of any sensibility, he could not have failed to be deeply affected with the fate of so many devoted followers of his cause, whom he had, as with his own hand, delivered thus prematurely to the darkness of the dungeon, and to the disgrace of the scaffold; but he was unfeeling, cold, and selfish, in the very highest degree, and frequently betrayed the coarse vulgarity of his spirit, by adding insult to oppression, as on the night of the third, on his leaving Glasgow, when he slept at the house of Mr. Campbell of Shawfield, near Kilsyth, and with a promise of payment, ordered Mr. Campbell's steward to provide every thing necessary for his comfort, but told the said steward next morning, that the bill should be allowed to his master when he

* Scots Magazine for 1746.

accounted for the rents of Kilsyth, it being a forfeited estate, a poor joke, uttered to a poor servant, and altogether beneath the dignity of any man who had the ambition to be a king.*

Next day, the fourth, the rebels advanced towards Stirling, and were cantoned, some of them at Denny, some at Bannockburn, some at St. Ninians, and a strong party of them were stationed at Falkirk, as the advanced post of their army. Charles took up his quarters at Bannockburn, the seat of Sir Hugh Paterson. On the same day, the lords George Murray and John Drummond were at Alloa, concerting how they might best bring over the cannon from Perth. They afterwards surveyed the passage at Cambus, to see if it could not be done more conveniently there. Lord John Drummond then went on to Dunblane, leaving one hundred men in Alloa, and lord George Murray returned to Bannockburn. On the eighth, the rebels entered the town of Stirling, the militia having made their escape in small bodies, and the officers, with all their arms, gone into the castle, which was well provided both in men and provisions. As yet the rebel army had no heavy cannon but two twelve pounders, which they had with great labour brought round by the Frew.

Some sloops of war having come up from Leith Roads, to prevent, if possible, the rebels getting across at Alloa with their artillery, the rebels were no sooner in possession of Stirling, than they sent off three four pounders to the hill of Airth, to prevent the king's ships from getting farther up the river, and to cover the passage of their heavy cannon, which were then lying near Alloa. One of the above sloops, the *Vulture*, commanded by captain Faulkener, having come into the road of Inverkeithing, sent a cutter and some boats upwards, who arriving in the road of Kincardine, saw a brig come out of Airth, which the rebels had seized for the purpose of transporting their cannon from Alloa. Captain Faulkener, on coming up, being informed that there were two other brigs in the same place liable to be seized, and employed for the same or similar purposes, sent a boat manned and armed to burn them, which was effectually accomplished without the loss of a man; but

* Marchant's History of the Rebellion, pp. 277, 278.

in returning, the tide fell so low, that it was impossible for the boats to reach the road that night. The battery at Airth was opened upon them very unexpectedly in the morning, but the fire from the sloop soon dismounted two of their three cannon, killed their engineer, with some others, and they fled. They afterwards drew off their cannon to Elphinston, where, having got another gun from Falkirk, with a re-enforcement of three hundred men, they erected a four gun battery on the tenth.

Colonel Lighton having been sent up from Leith to the assistance of the sloops with three hundred men, an attempt was made to seize upon the brig which the rebels had carried up to Alloa, and aboard of which they had embarked two of their great guns, with a quantity of ammunition; but the design failed. Though they prevented the brig from sailing one tide, she got up the next, without its being in their power to prevent her. They afterwards attacked the battery at Elphinston, in which they were equally unsuccessful, and though they had silenced three of the guns, they were under a necessity of giving up the enterprise.*

Stirling was now become the central point with the rebels, and on the eleventh, in the morning, the Macdonalds, under Barisdale and Kinloch Moidart's brother, left Perth, on their way thither. The Frasers, under the master of Lovat, followed in the afternoon, to the number of eight hundred.† The Macintoshes and Farquharsons followed next day. There were only two hundred Gordons at Perth at the time, but four hundred were expected in a day or two, with four hundred French that had landed some time before. There were also just arrived at Perth two small sloops from Dundee, with powder, ball, pick-axes, shovels, biscuit, wine, and spirits, for the troops; also fif-

* Marchant's History of the Rebellion, pp. 280, 283.

† The master of Lovat carried along with him the following letter from his father, old Lovat:—"I have here sent my eldest son, the support of my family, and the staff of my old age, with 800 of the best of my clan, all heartily devoted to your interest, and who will be ready to sacrifice their lives in your cause. And I assure your royal highness, to convince you of my unalterable attachment to your person and interest, that I am determined, as soon as possible, to raise more men for your service, and will send them to you with all expedition, properly armed and accoutred."

teen swivel guns, and five hundred firelocks, brought from France for a regiment to be immediately levied for major Nairn. When at Glasgow, it appeared from several computations, that the rebels did not number more than three thousand six hundred foot, and about five hundred horse; including fifty or sixty that carried their sick. The horses were poor and jaded, and six or seven hundred of the foot were without arms, and appeared to have little either of inclination or ability to use them. During the eight days they spent there, they had a number of deaths, and a good many desertions, while they enlisted only about fifty or sixty, who entered into their service merely for lack of employment, so that their number could not be much increased when they left the city; now, however, they are stated by Mr. Home to have amounted to upwards of nine thousand men; we have not been lucky enough to meet with the detail of the component parts from which this aggregate has been formed, but it appears that M. Patullo, their muster master, has stated the same thing, otherwise we should have estimated their number to have been only eight thousand.*

The castle of Stirling was a grievous eye-sore to the Highlanders, as it impeded them so much in their progress to and from their own country; and now that they had been furnished by their allies the French, with an engineer, and some pieces of artillery, it was determined to lay siege to it, and compel the garrison to surrender. For this purpose they broke ground before it on the tenth of the month. By the fourteenth they had got together seven pieces of cannon; two sixteen, two eight, and three three pounders, and they were expecting to have four more brought over the river without delay. They had also a great number of fascines, but had not been able to plant their cannon—general Blakeney firing upon them from the castle, and demolishing their works as fast as they were able to complete them.†

* Home's History of the Rebellion, p. 117. *Memoirs of the Rebellion, &c.* p. 111. The Scots Magazine states their number to have been only 6000, on this side of the Forth, but this is evidently a mistake.

† "The engineer, to show his dexterity in his profession, (not considering that he had neither all things necessary for such an undertaking, nor regular troops that had been accustomed to such undertakings,) made his approaches

There were now assembled at Edinburgh, under the command of general Hawley, twelve battalions of foot, and two regiments of dragoons, the Edinburgh and Glasgow regiments, with the Paisley militia, which the general thought, like his predecessor Sir John Cope, more than was necessary to beat the rebels; and though there were more troops on the march, that would have been, and did come up in a day or two, he resolved to proceed westward, and instantly to give them battle. Preparatory to his march, however, an advertisement was published by the committee of subscribers for the Edinburgh regiment, importing, that it had been represented to them that it was absolutely necessary for the public service, that his majesty's forces quartered in and about the city, should in their march, that cold season, have the use of the blankets which had been furnished them; and desiring such persons as had given blankets, and were not willing they should be so employed, might intimate a demand of them back again, by signing a paper which was to lie in the council chamber on the eleventh and thirteenth, otherwise it would be presumed they agreed their blankets should be so employed. Accordingly, nearly three thousand pair of blankets were furnished to the soldiers by the inhabitants, and a farther supply was offered if necessary.*

On the thirteenth, major general Huske, with five regiments of foot, Hamilton's and Ligonier's, late Gardiner's dragoons, and the Glasgow regiment, marched for Linlithgow, where lord George Murray, aware of his coming, arrived before him, and carried off all that had been provided for his comfortable accommodation, retiring towards Falkirk on his approach. Six regiments followed next day, and on the sixteenth, general Hawley left Edinburgh to join the army, and, with all his troops col-

on the strongest side of the castle, where there was nothing but rock and chingle to work upon, so that in order to raise the batteries that were intended, there was nothing but forced earth, which was to be carried from a great distance and at a great expense, and when finished was commanded by the castle, by which there was a great many men lost, and the battery of little use; however, the work was continued rather than oppose his schemes, though it was agreed that the approaches might have been made, and to better purpose on the other side."—Lockhart Papers, vol. ii. pp. 465, 466.

* Scots Magazine for 1745.

lected, encamped in a field at the west end of Falkirk, within nine miles of Bannockburn, where Charles had his headquarters, with the whole of his army around him, one thousand only excepted, who, under Gordon of Glenbucket, were left at Stirling to carry on the siege of the castle.*

On the morning of the seventeenth, Hawley was joined by Cobham's dragoons, and one thousand Highlanders, commanded by lieutenant-colonel Campbell, late duke of Argyle. He was now only seven miles from the rebel army, which was drawn up on a muir two miles to the east of Bannockburn. What was once the Torwood, through the middle of which the road from Stirling to Falkirk by Bannockburn passes, lay between them; and on this road, lord John Drummond, with a party sent out to reconnoitre, was seen in the forenoon from general Hawley's camp, and mistaken for the whole body of the rebels. Their main body, however, was marching in two columns by the south side of the Torwood, and about one o'clock, was distinctly seen from a tree by two officers, who had been at the pains to fix up a telescope for the purpose of making observations, and who immediately informed their commanding officer, lieutenant-colonel Howard, who himself communicated the intelligence to general Hawley, at Callender house. Hawley quite carelessly said the men might put on their accoutrements, but there was no occasion for them to be under arms. In a short time, several people who rode about to procure intelligence, came in upon the spur, confirming what the officers had seen—the march of the rebels by the south side of the Torwood; and they were already crossing the Carron at Dunipace, little more than a mile and a half from the royal camp.† The circumstance of their coming by Dunipace, pointed out at once the ground they had it in view to occupy—Falkirk muir and the high ground on the left of the royal army.

This piece of intelligence gave a serious alarm to the army, and as Hawley was still at Callender house, no one knew what was to be done. The commanding officers, however, in the absence of any order from the general, did the very best that in such circum-

* Home's History of the Rebellion, pp. 118, 119.

† Home's History of the Rebellion, p. 119. Lockhart Papers, vol. ii. pp. 469, 500.

stances could be done; they formed their regiments upon the ground in front of the camp, in two lines, with the dragoons on their flanks, all fronting the south, and along the high road leading to Stirling—the road in their front, and the town of Falkirk on their left. Here it was expected by all they would wait for the enemy, already full in their view, coming along the hills from the south-west. Hawley made his appearance at last, and just in time to undo all that had been done. The dragoons he ordered instantly to the muir, to take possession of the high ground between them and the rebels, and the foot he ordered to follow. At the instant the foot began to march, the day was suddenly overcast, and a storm of wind and rain beat directly in the soldiers' faces, as they marched up the hill with fixed bayonets. The cavalry was considerably before the infantry, and for some time it seemed a race between the rebels, who were marching in two columns, about two hundred paces asunder, and the dragoons, who should first reach the top of the hill. The rebels, however, gained it, and the north-east column taking its ground, with a morass upon the right flank, formed at once the front line, the men standing with their backs to the storm. The column to the south-west took its station in the same manner, and with the same facility, formed the second line. The first line was composed altogether of Highlanders. The three Macdonald regiments, Keppoch, Clanronald, and Glengary, had the right. The Farquharsons, under Bumarrel, stood next the Macdonalds, followed by the Mackenzies, the Macintoshes, the Macphersons, the Frazers, the Camerons, and the Stuarts. The second line consisted of the Athol brigade, which was posted on the right, lord Ogilvie's regiment, and lord Lewis Gordon's two battalions, with the Maclauchlans, and lord John Drummond's regiment. The right wing was commanded by lord George Murray, as lieutenant-general, the left by the duke of Perth; Charles, with his own guards, and Fitzjames' horse, placed himself behind the centre of the second line.*

In this order, the first line of the rebels had gained and were

* Home's *History of the Rebellion*, pp. 120, 121. Lockhart Papers, vol. ii. p. 501.

formed on the brow of the hill, with the second line rapidly forming behind them, when Hawley, whose temerity was equal to his negligence, sent an order by his aid-de-camp to colonel Ligonier, who commanded the cavalry, about seven hundred in number, instantly to charge them. Looking first to the aid-de-camp who brought him the message, and then to the army before him, the colonel said it "was the most extraordinary order that ever was given." He hesitated not, however, to obey it; and lord George Murray, with his sword drawn in his hand, stood at the head of the Macdonalds ready to receive him. Putting spurs to their horses, the dragoons rushed upon the iron ranks of the Highlanders, who standing firm till the horses were at the very muzzles of their guns, gave them such a fire as completely disconcerted them, and they wheeled about and fled,* part of them directly down the hill among their own infantry, and part of them across it to the right, receiving from the Highland regiments a most murderous fire as they went along. The party that fled down the hill, fell in among the Glasgow militia—who by chance had got into a position right in their rear—rode a whole company of them off the field, and without looking behind them, galloped to Linlithgow, carrying the general along with them. The Macdonalds of Keppoch, restrained by lord George Murray and the rest of their officers, did not, fortunately for the king's troops, pursue them immediately. In other parts of the line, however, the impetuosity of the Highlanders could not be restrained; they rushed to the pursuit, and falling sword in hand upon the royal army, out of breath breasting the hill and the storm, threw the

* If we might believe the chevalier de Johnstone, few attacks have been made with more determined bravery than this one was, and fewer still resisted with the same obstinacy. "The cavalry," says he, "closing their ranks, which were opened by our discharge, put spurs to their horses, and rushed upon the Highlanders at a hard trot, breaking their ranks, throwing down every thing before them, and trampling the Highlanders under the feet of their horses. The most singular and extraordinary combat immediately followed. The Highlanders, stretched on the ground, thrust their dirks into the bellies of the horses. Some seized the riders by their clothes, dragged them down, and stabbed them with their dirks; several again used their pistols; but few of them had sufficient space to handle their swords."—*Memoirs of the Rebellion*, p. 122.

whole front rank into disorder. So suddenly and so completely was this effected, that the general seems to have accelerated his flight, believing that he had not a single regiment standing. One regiment, however, Burrel's, stood firm, which was speedily joined by Ligonier and Price's, under the command of brigadier Cholmondeley. This small body, posted behind a ravine, which separated the right of the king's army from the left of the rebels, kept up such a close and well directed fire upon the Stuarts and the Camerons, as completely to check the pursuit of the rebels, who hearing such a steady fire in their rear, thought it prudent to fall back in order to join their second line. Their second line was by this time, however, totally dispersed; some of them having joined the first line in the irregular and desultory pursuit—some of them standing still with lord George Murray, and the Macdonalds of Keppoch—and others, from the renewal of the firing, apprehending a defeat, having fled to the westward. The Highland army was now in the utmost confusion. Those that had returned from the chase were wandering about without leaders, having nothing but their swords. The Stuarts and Camerons had also been compelled to retreat by the well-directed fire of Burrel, Ligonier, and Price's foot, who were now joined by Cobham's dragoons, but they were all immediately united under lord George Murray. Charles with the Irish piquets also came up from the rear, by whose presence and commendations they were greatly encouraged, and by whom, having taken up their muskets, which they had thrown down when they began the pursuit, they were again led on to the brow of the hill. On the appearance of so considerable a body of men, his majesty's three regiments who had behaved so well, retreated in good order, and soon joined the rest of the troops, who, for the most part, had rallied on the ground in front of their camp, where the Argyleshire Highlanders had been left by general Hawley when he marched to meet the enemy on the face of the hill. The storm still continued to rage with great violence, and darkness was fast closing over the scene, for the battle began only a few minutes before four o'clock, when orders arrived to set fire to the tents, and for the whole army to withdraw to Linlithgow. Not aware that Hawley had abandoned his camp, the eldest son of lord Strathallan, and Mr. Oliphant, younger

of Gask, came down among the burning tents, disguised as peasants, and with the joyful intelligence, hasted back to their friends, who, notwithstanding the tempestuousness of the night, found a most agreeable amusement in securing the great quantities of provisions, ammunition, and baggage, which the royal army had left behind them. Seven pieces of cannon, which stuck in a bog, and were deserted at the commencement of the action, also fell into the hands of the rebels, a strong party of which, under the command of lord George Murray, immediately took possession of Falkirk.*

* Home's History of the Rebellion,*pp. 121—127. Lockhart Papers, vol. ii. pp. 470—472, 500—503. The following account of this battle, written by an officer in the Glasgow regiment, is highly worthy of preservation:—

“About 10 o'clock Mr. Hawley went out to a little eminence on the left of the camp, and 500 yards nearer the enemy, to reconnoitre the grounds between our camp and y^e Torwood, where I heard some of the officers say they saw them moving on this side of the Torwood southwards. This proved true, though I saw nothing, neither did Mr. Hawley. However, about eleven o'clock we got the alarm, and in a very short space were all under arms, and remained so a quarter of an hour. Then we found it was a false alarm, and we all turned in again, and went to look out for dinner, which was not easy to be found; and after it was found we got no time to eat it; for a little before two the last alarm came, when the enemy was within a mile and a half of us. I never was used to these things; but I was surprised to see in how little time y^e regular troops were formed (I think in less than half an hour) on y^e left of y^e camp in two lines, with the dragoons on y^e flanks, all fronting the south, and just along the side of the high road leading to Stirling, the road in their front, and Falkirk on their left. We all thought that there we were to wait for the enemy, who was now plainly in view, coming along the hills from the south-west. Mr. Hawley it seems had another notion; for no sooner was the army formed, than he marched them straight up a steep hill, w^{ch} lyes to the south-west of Falkirk, in two columns, in order, I suppose, to gain a large moor, w^{ch} they say is on the top of the hill, and w^{ch} may be so for me, and I believe for his excellency too, for neither of us saw it, at least before the action. All the dragoons were sent on before, and formed upon the top of the hill, and there the action began.

“The Argyleshire men, who had been quartered out in y^e neighbouring villages, and could not be got so soon together, were posted, or posted themselves, on the right of y^e army, at y^e bottom of y^e hill; our post was behind the two lines of foot, and to the left, and we had got something more than two-thirds up the hill when the firing began; upon w^{ch} we formed there, but not in very good order. Our cannon, that was to have been in the front, stuck fast somewhere about the bottom of the hill, and indeed no force could have drawn it up to the top. The Highlanders' first line (as I was told, for

Such was the battle of Falkirk, which was decided in much less time than it is possible circumstantially to narrate it,* and in the conduct of which, if we except the fatuity of Hawley, and the stupidity of the Highlanders, there was little to be

* "Several officers of the king's army, and some others, who were taken prisoners, had frequent opportunities of conversing with the rebel officers, and they agreed in opinion, that the interval between the first fire and the retreat of Burrel's regiment did not exceed twenty minutes." Home's History of the Rebellion, p. 127.

I could see nothing almost y^t was done on the top of the hill;) outstretched our left considerably; their right I saw did not pass the centre of our line of foot. The dragoons being all on our left, helped to lengthen our first line, and there the affair began. Certainly, while the foot was marching up the hill in columns, and the heads of the columns had just reached the top of the hill, and the rest marching up as hard as they could, running and quite out of breath wth the fatigue, the dragoons charged very briskly; but upon receiving a very sharp popping kind of a fire, they went off. I believed they suffered a good deal; for in one part of them nearest us, I saw day light through them in several places. When the dragoons were beat, y^e right of y^e Highlanders chasing them, (as they took straight down the hill among the foot,) appeared upon our flanks. The flanks of both lines gave way down to the centre, and then the whole first line went off, all running down the hill, except Ligonier's regiment of foot, which was quite on the right, and near the bottom of the hill. Lt Col. Stanhope, a fine lively young lad, a brother of lord Stanhope's, faced that regiment (which was not quite 300 men) to the hill, and stood alone for near five minutes, till Burrel's regiment, of about 400 men, came out of the second line and joined them, and there the first stop was made. The enemy, instead of following in where the troops gave way, wth they might have done, took it into their heads to stretch their left down to the bottom of the hill; in doing of which it was so warmly received by these two regiments, that they all scampered up the hill again. Gen^l Husk formed a pretty strong line of foot by rallying the runaways at the bottom of the hill, and then they all marched into the camp, not in very good order.

"The great storm of rain and wind, w^{ch} began about ten minutes before the action, had rendered their arms useless, and wet all the soldiers' cartridges, so the baggage horses were ordered to be loaded, (few of them were found,) and the tents to be burnt. Three pieces of cannon were drawn off by the soldiers; the rest were left, because the artillery guard had fled, and the country people had cut out all their horses. As to the Glasgow regiment, we marched up the hill very stoutly; when the firing began on the top of the hill, which was out of sight, we seemed a little too attentive to it; and when some of the fleetest of the dragoons came down among us, we did not at all like it. In a little, about 60 dragoons of Hamilton's came down the hill in a body, at the gallop, and carried off about a company of our people, among whom I was, and would then have given my life for a shilling. Some of us

admired. Either of the armies at different times in the progress of the battle, under the direction of a skilful and intrepid leader, would most certainly have annihilated the other, yet neither of them reaped any remarkable advantage. Hawley, when he arrived at Edinburgh, began his career, by "sending for the lord provost, and the judge advocate, and ordering two pair of gallows to be set up, one in the Grassmarket, and the other between Edinburgh and Leith;" and there certainly was not a Jacobite in the kingdom, nor a poltron in his own army, that would have graced one of them better than himself. He had again and again exposed his army to certain destruction, had the rebels had as much sense as to have profited by his blunders. First, by sending it out in detached portions to occupy stations where the rebels could easily have come upon them with their whole force, and thus have destroyed it by piecemeal: secondly, by spending his time in idle dalliance at Callender house, while his officers were without orders, and the enemy approaching in

they rode over, and some of us ran and rode so well, that we got quit of them in about 5 or 600 yards, with the utmost difficulty. I turned up the hill again, after being disengaged, but saw the Glasgow regiment no more. Those whom I could most trust told me, that they got a fire from about 70 Highlanders, who immediately retired up the hill a little, and then came down again with about 200 more, and gave them another fire, upon which they returned a few scattering shot, then fell into confusion, and finally ran away. They had an officer and 18 men killed, some wounded, three officers and 26 private men taken prisoners. This was pretty well for militia, and there are but two regiments of foot that have any title to reproach them. The Argyleshire men were not engaged; however a good many of them fell into the enemy's hands, one whole company in particular, commanded by one M'Niel. That same night the army marched to Lithco, and next day to Edⁱⁿ where we were much insulted by the Jacobites.

"This is my account of the battle—part of it I saw, and part I took from others which corresponded with what I saw. It lasted but a short while, as I believe all actions with these people do; but why they did not use their advantage, and enter where the troops were broke, sword in hand, as is their way, and in the next place why they did not pursue when the army marched to Lithco, when all fire-arms were useless, is not to be comprehended. They cannot in all human probability ever have such another opportunity.

"The faults on our side seem to be obvious to common sense, but there may be excuses for them, according to the art military.

"Had it been fair weather, I believe the troops would have beat them at last, notwithstanding all the disadvantages they were laid under, and greater could not be."—Culloden Papers, pp. 270—272.

sight of almost the whole army: thirdly, by breaking up the prudent arrangement his officers had made for him, madly running a race with the enemy for the top of the hill, and charging the whole body of them, eight thousand strong, with six or seven hundred cavalry, by which extraordinary procedure he lost the benefit of his artillery, exposed his foot, breathless, and with their arms wet, on the most unfavourable part of the acclivity, and was himself carried off by the recoil of his own discomfited dragoons. Of the Glasgow and Edinburgh volunteers he made no use, further than to expose them to death or captivity; nor for want of time could he dispose of the twelve hundred Argyleshire Highlanders, so as to be of any service to him in the action. A whole company of them, however, fell into the hands of the rebels. All these monstrous blunders seem to have been the effect of sheer ignorance and presumption. Such a high opinion did he hold of his own powers, that he did not believe the Highlanders would attack him; and when they were just ready to fall upon him, he believed that they were attempting to get past him, in order to make another excursion into England. His mad march up the hill of course was intended to force them into an action. Hence the conflict happened upon a field which he had never viewed, and which was in all respects most disadvantageous to his troops.*

In this unfortunate battle there were killed of the royal army one colonel, Sir Robert Munroe of Fowlis, and along with him his brother, Dr. Duncan Munroe, who was not a military man, but had accompanied him out of brotherly affection; lieutenant-colonels, Whitney of the dragoons, late Gardiner's, Biggar of Munroe's, and Powell of Cholmondeley's; five captains of Wolf's, and one lieutenant, four captains of Blakeney's, and two lieutenants. Of private men there were killed upwards of four hundred. The Highlanders acknowledged the loss of three captains, and four subalterns, with forty men killed, and about eighty wounded, but it was in all probability at least double that number.

* Home's History of the Rebellion, pp. 120, 125. *Note*, p. 128. Lockhart Papers, p. 469.

Several spectators who had made haste from the field of battle, and a few of the dragoons who had fled at the first onset, reached Edinburgh before nine o'clock at night, with the dismal tidings of the army being totally routed and dispersed. The army itself reached Edinburgh next day about four o'clock, which disproved part of the former report; but there was enough, in the appearance which it now made, to satisfy all that the battle had been a very unlucky one. The troops had but a few days before left the city in high spirits, marching as they supposed to certain victory, now they were broken, humbled, and dispirited; and the sight was so much the more painful, that they were not the raw, inexperienced troops that had so miserably disappointed Cope at Gladsmuir, but many of them veterans who had supported the fair fame of their country upon the immortal fields of Dettingen and Fontenoy.

At the same time the Highlanders were not by any means elated with their victory, which had been so managed as that many of them did not know but it was a defeat. Farquharson of Monaltry, who commanded a body of men that escorted the cannon of the rebels, and was about a mile behind the main body, when he heard the first fire, hastened forward with his men to join in the combat, and met upwards of two hundred of the Highlanders flying to the westward; and the chevalier de Johnstone asserts, that after he had retired to the mansion of Mr. Primrose of Dunipace, he "found there lord Lewis Gordon, brother of the duke of Gordon, Mr. Frazer, son of lord Lovat, and six or seven other chiefs of clans, but none of them knew what had become of their regiments. Other officers," he asserts, "arrived every instant, all equally ignorant of the fate of the battle, and equally in doubt whether it had been gained or lost."* Every one too felt disappointed that so little had been made of the advantages that lay upon their side. The surprise, the storm, the ridiculous attack, and the notorious misbehaviour of some of the royal regiments, were all circumstances that might never again be found combined in their favour. Lord George Murray affirmed, that the victory would have been complete if lord John Drummond, who ought to have commanded on the

* Memoirs of the Rebellion, 1745, &c. p. 127.

left, had been in his place to have ordered some regiments from the second line to force the regiments on the right of the king's army which outlined the left of the Highlanders. Had this been done, he maintained, not so much as one of the foot could have escaped being either killed or taken. On the other hand, lord John Drummond and his friends blamed lord George Murray for preventing the Macdonalds from advancing, with the rest of the Highlanders, to the attack of the foot after they had repulsed the dragoons, and all of them blamed the adjutant-general, Sullivan, for keeping himself "fairly out of harm's way."

This was exactly what might have been expected in an army so constituted, where every chief laid claim to the honours of supreme command, and assumed the privilege of acting independently of his neighbour. It would not, indeed, be easy to conceive circumstances more discouraging than those that attended this battle. The rebels had succeeded in the attack to the very utmost that the most sanguine among them could have expected, and from the want of a man of ordinary capacity to lead them, all the fruits of it had been lost. Three regiments of foot, Burrell, Price, and Ligonier's, by superior discipline, had in the end checked their career, and nearly robbed them of the victory. Nor were the events of next day among the rebels a whit more propitious. One of the Highlanders cleaning his piece without having taken the precaution to unload it, it went off, and by accident shot Angus Macdonald, the second son of Macdonald of Glengary, who commanded the clan. Satisfied that the circumstance was purely accidental, Macdonald begged with his dying breath that no harm might be done to the unfortunate man; but it was impossible to restrain the rage and fury of the Glengary men, and the man, though a Macdonald too, one of Keppoch's, fell a victim to their unreasonable resentment. After all they began to desert daily on account of the accident, and their example was followed in this respect by others to an extent that lessened the numbers of the army as effectually as if it had sustained a defeat.* This was highly illustrative of the savage insubordination that still characterized the clans; but

* Lockhart Papers, vol. ii. pp. 472, 503.

there was another circumstance took place the same day still more so. One of the clan Cameron, who had been in the king's army, had joined his clan on the day of the battle, and on the morning of the eighteenth—at the very moment lord Kilmarnock was delivering up to Charles six of the men belonging to the Edinburgh regiment of volunteers, whom he had made prisoners the night before, and had brought from Callender house in the morning—came up the street of Falkirk in the full uniform of one of his majesty's regiments, carrying his musket and bayonet, and having a black cockade in his hat. Charles was looking at the prisoners from the window of his apartment, and putting some questions to lord Kilmarnock respecting them, when this singular phenomenon appeared. The street was full of Highlanders, the volunteers stared at an exhibition, the boldness of which confounded them, Charles himself stared with evident emotion, and when the soldier had reached the spot where the volunteers stood, lord Kilmarnock came down upon him, knocked the hat off his head, and to show his zeal in the cause, trode upon the black cockade. At that instant a Highlander laid hands on his lordship, and pushed him back. Kilmarnock pulled out a pistol, and presented it at the Highlander's head; the Highlander drew his dirk, and held it close to Kilmarnock's breast. A crowd of Highlanders rushed upon lord Kilmarnock, and drove him off. The Highlander with the drawn dirk took up the hat, put it on the soldier's head, and the whole marched off in triumph. The astonishment expressed by the volunteers who were prisoners, induced a Highland officer who stood by to give them this brief explanation:—"The soldier is a Cameron. Yesterday, when your army was defeated, he joined his clan, which received him with joy, telling him he should wear his arms, clothes, and every thing else, till he was provided with others. The Highlander, who drew his dirk on lord Kilmarnock, is the soldier's brother, the crowd who rushed in are the Camerons, and in my opinion, continued the officer, no colonel nor general in the prince's army can take that cockade out of his hat, except Lochiel himself."*

During this transaction Charles must surely have felt that

* Home's History of the Rebellion, pp. 131, 132.

he was yet far from being a king. He, however, returned that afternoon with his guards to Bannockburn; lord George Murray, with the Highlanders, remained at Falkirk; and the duke of Perth, with the Irish piquets, lord John Drummond's, and the Low country regiments, returned to prosecute the siege of Stirling castle, which they summoned twice that same day to surrender. The garrison, however, treated them with contempt, as they were utterly ignorant of the art of attacking fortifications, and were besides but poorly provided with the requisite means for that purpose. They were, indeed, so unskilful, and the fire from the castle did such execution among the men at work, that at length none could be found to engage in it, and a change of circumstances soon after made them abandon the design.*

In the meantime they began to be in great want of provisions, and parties were roaming in all directions, carrying off what corn and meal they could find. The king's troops did all they could to hem them in, by sending out parties towards the west, and his majesty's sloops burnt several of their boats which were employed in bringing over their meal from Alloa.

All the prisoners taken in the battle of Falkirk, some officers excepted, were sent from Stirling to the castle of Doune on the twenty-fifth, and the same day the baggage belonging to Charles was carried to Leckie house.†

Hawley, we have already stated, reached Edinburgh with his army in the afternoon, Saturday the eighteenth, and whether he had any feeling of his own misconduct or not, he very soon set about inquiring into that of others;‡ for on the nineteenth a court martial was assembled to try some officers and men who had behaved in the action at Falkirk in an unsoldierlike manner. The proceedings began next morning, and continued for several days. The captain of the train, who with his com-

* Scots Magazine for 1746.

† Marchant's History of the Rebellion, pp. 223, 224.

‡ If we may believe general Wightman, he was not without some feeling on the subject;—"Hawley seems to be sensible of his misconduct; for when I was with him on Saturday morning at Linlithgow he looked most wretchedly, even worse than Cope did a few hours after his scuffle, when I saw him at Fala."—Culloden Papers, p. 267.

pany went off and left the artillery in a bog without a guard, prevented a trial, and anticipated his fate, by cutting the arteries of his arms; but there were some officers tried and cashiered, and several privates were condemned to be shot. Others who had misbehaved were severely whipped. Francis Forbes of the royals, John Irvine of Ligonier's foot, David Welch of Pulteney's, and Henry Macmanus of Hamilton's dragoons, all Irishmen, were hanged in the Grassmarket of Edinburgh, on the twenty-fourth, pursuant to a sentence of a court martial, the first three having deserted to the French in Flanders, and were taken on board the *Louis XV.* coming to Scotland—the fourth had enlisted with the rebels after the battle of Gladsmuir. Two sentinels, sentenced to be shot for throwing away their arms, and running off before the action at Falkirk, were reprieved on the preceding evening.

In the meantime re-enforcements to the army were arriving daily. The twenty-fifth regiment arrived in Edinburgh the day upon which the battle was fought, and the twenty-first, or Scots Fusiliers, arrived at Musselburgh the day after. Mark Ker, St. George, and Bland's dragoons, with the duke of Kingston's horse, were also ordered to the same quarter. On the twenty-first the military chest was brought in under the escort of a troop of St. George's dragoons, and lodged in the castle; and on the twenty-sixth, upwards of forty gunners and matrosses, with a train of artillery, consisting of sixteen pieces of brass cannon, and stores, came in from Newcastle.

The prisoners taken at Preston, or Gladsmuir, by the Highlanders, after having been confined for some time at Perth, were removed to Glamis about the end of December, and were now set at liberty by a number of armed parties of loyal inhabitants from Dundee and other places, by whom they were carried forward to Edinburgh, where they arrived on the twenty-fifth of January. They, however, seem to have been under some difficulty how to behave; for they did not put on their military dresses for some time, and when they did so, it was said to be by special orders from the king.*

A few days after the battle of Falkirk, general Hawley sent

* Scots Magazine for 1746.

for the officers of the Glasgow regiment, and after thanking them for their past services, which he promised faithfully to represent to his majesty, acquainted them, that as the time for which the town of Glasgow had agreed to subsist the regiment was expired, and there being now in the country more than a sufficiency of forces for putting down the rebellion, he judged it to be his duty to dispense with their further attendance, which was expensive both to the town and to themselves, and also a loss to the country in general, by withdrawing so many useful hands from her manufactures. The officers unanimously assured him, that they were willing to serve their king and country at their own expense, and that they would be ready at a call whenever their attendance should be judged necessary, or in the least degree useful to the service. The general afterwards received his majesty's commands to thank the regiment, and being thus honourably dismissed, they went to their respective homes.*

When the news of the battle of Falkirk reached London, it produced a very great sensation, and more vigorous measures were resolved upon for defeating the designs of the pretender, who was thus becoming more formidable than ever. The army in Scotland had been now so very considerably re-enforced, as to leave little room for further apprehension respecting the Highlanders; but as an invasion from abroad was still threatened, and the Dutch troops having been recalled, on a representation to the states-general by the French minister at the Hague, they having formed part of the garrisons of Tournay and Dendermonde, and were, by articles of capitulation, restricted for a certain term from bearing arms against France, it was thought proper to order six thousand Hessians in British pay, then lying in the neighbourhood of Antwerp, to the northern parts of Britain, for which they were embarked accordingly, under the prince of Hesse, son-in-law to his majesty George II.

The duke of Cumberland was also directed by his majesty to repair to Edinburgh, and to take upon himself the command of the army without a moment's loss of time. Accordingly his

* Scots Magazine for 1746.

royal highness set out from London between twelve and one in the morning of the twenty-fifth, and arrived at Edinburgh, attended by the duke of Athol, the earl of Albemarle, and other officers, on the thirtieth, about three o'clock in the morning. The report of his journey was received with the greatest joy in Edinburgh, and on the night of the twenty-ninth there were extraordinary illuminations, bonfires, ringing of bells, &c. &c. in expectation of his arrival. The Jacobites on this occasion strove to excel the whigs for the sake of their windows, but to very little purpose, for they were broken by the mob without mercy to such an extent, that there could not be found in the city glass enough to repair them, in consequence of which many families suffered much from the severity of the season.*

Hawley having been considerably re-enforced, and perfectly confident in himself, had made all the necessary preparations for marching again towards the rebels, before any news of the duke's intended journey had arrived; but determined, whatever his conduct might be, to have fewer to be witnesses of it than on the former occasion, he had it advertised in the newspapers, and published from the pulpits, that the army had been greatly incommoded during the late action by the many thousands of spectators that attended from Glasgow, Edinburgh, and the adjacent country; and giving notice, that whoever should presume to come within one mile of the army after its march from Edinburgh, without being duly furnished with a pass from the right honourable lord justice clerk, his excellency general Hawley, or one of the general officers, should certainly be punished, and if they should be fired upon, would have themselves only to blame. From this order were excepted such as had useful information to communicate, and such as brought provisions for the army, who were promised protection to their persons, and ready money for the articles they might bring along with them.

At the same time, and in the same manner, the following ordinance was set forth by the sheriffs of Edinburgh, Walter Sandilands and Alexander Lind, Esqrs.:—"Whereas we have just now received notice that a regiment of dragoons is to be

* Marchant's History of the Rebellion, p. 328.

quartered, in town to-morrow, and that other regiments are following, and whereas we are informed that the common stables, and other stables within this city and suburbs, and the town of Leith and precincts thereof, are much crowded with private persons' horses not in the service of the government, or belonging to the military, these are therefore ordering and requiring the proprietors of such horses instantly to remove them from the said stables, with certification, if they be found remaining there this day (the twenty-seventh) by ten o'clock, they will be understood as left for the service of the army, and will be employed accordingly."

Such were the preparations that had been made when the duke of Cumberland arrived at Holyrood house on the thirtieth of January, at three o'clock in the morning. His grace went to bed for an hour or two, and was transacting business with generals Hawley and Huske by eight o'clock in the morning. He carefully inspected the state of the army, which derived new life, and regained somewhat of its former vigour from his presence, and he gave orders for marching to the westward next morning. During the day he received the compliments of the clergy, of the university, and the principal inhabitants of the city, whom he thanked in a very neat speech for the zeal they had displayed in the cause of loyalty. The army marched early next morning, consisting of fourteen battalions of foot, the Argyleshire Highlanders, Cobham's dragoons, and four troops of Mark Ker's. These last, and two battalions of the foot, the Scots Fusiliers, and Sempill's, had not been in the late action. The artillery followed. Major-general Huske led the van, and Ligonier and Hamilton's dragoons were ordered to patrol the roads leading to the west of Edinburgh, in order to prevent any intelligence being sent to or from the rebels. Part of the country militia was now called in, which, with the Edinburgh regiment, and the city guard, was left in charge of the city. At nine o'clock the duke passed through the town in the earl of Hopetoun's coach, accompanied by vast numbers of the citizens, and many of the nobility and gentry, who saw him about a quarter of a mile without the gate, when, thanking them for the convoy, he mounted his horse, sprung at once into a full gallop, singing, "Will you play me fair, bonnie

laddie, Highland laddie," and was very soon up with the army,* which proceeded without any interruption in two columns, one of eight battalions, led by the duke himself, to Linlithgow, and the other of six, under general Huske, to Borrowstounness, where they were quartered for the night. The dragoons and Argyleshiremen were lodged in the adjacent villages.

A battle it was now supposed was inevitable, and it was expected to be fought nearly on the same ground where the former one had been. Had general Hawley marched out to attack the rebels on the twenty-eighth, as he probably, from the advertisements we have noticed, intended, and they certainly expected—for they had too many friends in Edinburgh to remain ignorant of any thing that was purposed respecting them—there can be little doubt but they would have given him battle; for we find that lord George Murray had drawn the plan of such a battle on the twenty-eighth, and presented it to Charles, who was exceedingly pleased with it, making some corrections upon it with his own hand. Charles had a childish fondness for battles, and sat up that night very late, and was unusually gay, in prospect of the high gratification that was awaiting him. Next day, however, in place of the battle, he was presented with a packet from lord George Murray, containing a paper signed by him and all the chiefs that were with him at Falkirk, advising a retreat to the north. In this paper, the chiefs state that "a vast number of your royal highness' army are gone home since the battle of Falkirk, and notwithstanding all the endeavours of the commanders of the different corps, they find that the evil is increasing hourly, and not in their power to prevent; and as we are afraid Stirling castle cannot be taken so soon as was expected, if the enemy should march before it fall into your royal highness' hands, we can foresee nothing but utter destruction to the few that will remain, considering the inequality of our number to that of the enemy. For these reasons," say they, "we are humbly of opinion, that there is no way to extricate your royal highness, and those who remain with you, out of the most imminent danger, but by retiring immediately to the

* Marchant's History of the Rebellion, pp. 328, 329. Scots Magazine for 1746.

Highlands.”—“It is but just now,” they add, “we are apprized of the number of our people that have gone off, besides the many sick, that are in no condition to fight.”* It has been remarked, that there is no mention made of the arrival of the duke of Cumberland in this paper, nor of any augmentation of his army; but we cannot hesitate for a moment to believe, that it was in consequence of these circumstances that the resolution to retreat was so suddenly adopted. Charles himself was no stranger to the diminution of his numbers. He had reviewed his army some days after the battle, and was highly pleased with its appearance, though far short in numbers to what it was before it; and we cannot think it at all probable that the chiefs were ignorant of the state of matters among their followers, till after they had planned a battle on the twenty-eighth, but we think it exceedingly so, that some of their friends informed them, on the night of the twenty-eighth, that the duke was expected in Edinburgh next day; of the augmentation of the royal army they were perfectly well acquainted, and, we believe, did not choose to hazard an engagement with it under a new commander, though they were very anxious to do it with the old one.† So little, indeed, did Charles enter into their proposal, if he at all understood it, that when he read their paper, “he struck his head against the wall till he staggered, and exclaimed, Good God! have I lived to see this!” He is also reported on this occasion to have reviled lord George Murray, to whose management he attributed this conduct on the part of the chiefs.‡ As he was entirely, however, dependant upon them, nothing remained for him but to acquiesce in their determinations, and the rapid advance of the duke of Cumberland left him and them little time for deliberation.

* Home’s History of the Rebellion, p. 135. Memoirs of the Rebellion, &c. pp. 140, 141. *Note.*

† The character of Hawley was well known to be sour and supercilious; he was hated by the soldiers, and of course could hardly be a successful leader. “No mortal,” says John Forbes, “disputes Mr. Hawley’s genius for the management of a squadron, or prosecuting with vigour any mortal to the gallows, although, at the same time, they wish that he had the lenity to make converts, or the absolute force to make all fly before him.”—Culloden Papers, p. 468.

‡ Memoirs of the Rebellion, &c. p. 142. *Note.*

On the advance of the duke, lord George Murray proceeded towards Stirling to join Charles, who had ordered the siege of the castle to be abandoned, and the heavy guns, as they had no means of carrying them off, to be spiked. Patrols were placed by lord George Murray, on the night of the thirty-first, at all the passes that led to Stirling, while he himself was advancing nearer that place to meet his countrymen, who had agreed to assemble on a croft, near St. Ninian's, where their magazines were partly laid up, and from which they proposed to march on the first of February, at eight o'clock in the morning. Charles, however, did not think fit to wait his appointment; and when lord George Murray came to Old Green Yards, early in the morning, to distribute the clothing and other articles that had been furnished for the army by the city of Glasgow, he was astonished to find almost nobody to receive them—those who should have done so, being already on the road to Perth. "As carts could not be found to carry off what was not given out, every man took," says one of their own journalists, "what he had a mind to, and the rest was left to those that came next, by which we were little the better for what we got at Glasgow."* Their magazine in the church of St. Ninians, containing a great quantity of gunpowder, was blown up, (their enemies said by design, they themselves by accident, *i. e.* by an ignorant Highlandman firing his musket into it,) with the loss of several lives, and at the expense of all the windows in the village.

Lord George Murray then took post on a rising ground near St. Ninians, to keep in the garrison of Stirling castle, and to give time to any stragglers that might be behind to come up. Ker of Gradon, in the meantime, went forward to acquaint Charles with what had been done, and in his way found lord John Drummond, who had been the night before left in Stirling, to see that every thing in the town was carried off, and that all the people belonging to the army were out of it, and to bring up the rear. Ker was now told, that instead of eight, as had been agreed upon, Sullivan had given orders to march at six o'clock, by which mistake, lady Ogilvie had narrowly escaped

* Culloden Papers, vol. ii. p. 473.

being made prisoner. Her baggage was taken, and a number of men who knew nothing of the alteration of the hour of march. The whole now pursued their way, evidently in great confusion, to the ford of Frew, where they crossed the Forth, and proceeded, the army to Dunblane, and Charles to Drummond castle. Owing to the badness of the roads, and the want of horses, several of their cannon and carriages were on this day's march left behind them. Next morning they proceeded to Crieff, and were joined on the march by a party with the prisoners taken at the battle of Falkirk, who had been sent to the castle of Doune.* Charles lay that night at Fairnton,

* Some of these prisoners had previously made their escape, of which, Mr. Home, who was one of them, gives the following interesting account :—

“ The same day the duke of Cumberland's army marched from Edinburgh to attack the rebels, the officers and men of the Edinburgh company of volunteers taken prisoners on the 17th, made their escape from the castle of Doune, to which they, with many other prisoners, had been sent on the 25th. The castle of Doune, built by Murdoch duke of Albany, regent of Scotland, during the captivity of James the First, was in a most ruinous condition when the volunteers came there. The place of their abode was a large ghastly room, the highest part of the castle, and next the battlements. In one end of this room there were two small vaults, or cells, in one of which the volunteers passed the night, with three other persons, one of whom was Mr. John Witherspoon, then a clergyman of the church of Scotland, afterwards president of the college of Jersey in America; the other two were citizens of Aberdeen, who had been taken up in the north country as spies, and threatened to be hanged by the rebels. In the other cell were also eight persons, who, like Mr. Witherspoon, had come to Falkirk from curiosity to see a battle, and were taken prisoners in the general sweep which the rebels made after the battle.

“ Each of the cells had a door, which might be made fast by those on the inside when they went to sleep, having straw to lie upon, and blankets to cover them, which they had purchased from some people in the village of Doune.

“ From this account of the condition of the prisoners in the castle of Doune, it may be taken for granted, that when the volunteers were brought there, they thought of nothing but how to get away. Their first scheme was, to establish a communication with the other prisoners, whose number they knew was considerable; for there were above 100 soldiers of the king's army, a good many Argyleshire men, and some men of the Glasgow regiment; so that the whole number of prisoners, who had carried arms, might amount to 150 men.

“ To guard the prisoners, there was a party of twenty or twenty-five High-

where there was a council held, and as they were to march to Inverness, and there was no possibility of them keeping together, they separated themselves into two columns, the one under Charles, consisting of the clans, taking the Highland

landers, relieved every day from a detachment of the rebel army, quartered at the village of Doune.

"A sentinel, who stood two or three paces from the door of the room where the volunteers were lodged, allowed any of them that pleased to go up to the battlements, which were above seventy feet high. From the battlements, one of the volunteers with no small difficulty, made his way to the place where the soldiers and other prisoners were confined; but as there was not one officer with them, he returned the way he went, and told his companions that their scheme of escaping by force was at an end. Another of the volunteers instantly proposed that they should make a rope of the blankets they had, by which they might descend from the battlements to the ground, on the west side of the castle, where there was no sentinel. The proposal was agreed to, and being communicated to the three prisoners who lodged in the cell with them, the two men from Aberdeen agreed to join the volunteers in their attempt to escape. Mr. Witherspoon said that he would go to the battlements and see what happened, that if they succeeded, he would probably follow their example.

"To prevent suspicion of their design, some of the volunteers always kept company with the other persons in the great room, which was common to all, whilst the rest of them, barring the door of their cell, were at work till they finished the rope, of which they resolved to make use the very night it was completed. The two officers then claimed it as their right to be the first that should hazard themselves, and prove the strength of the rope; but that claim was objected to; and all the volunteers, with the two men taken up as spies, drew lots for the order in which they should descend. The captain showed No. 1, the lieutenant No. 2.

"When every thing was adjusted, they went up to the battlements, fastened the rope, and about one o'clock in the morning, began to descend. The two officers, with Robert Douglas, and one of the men taken up as spies, got down very well, but the fifth man, one of the spies, who was very tall and big, coming down in a hurry, the rope broke with him just as his feet touched the ground. The lieutenant standing by the wall of the castle, called to the volunteer [an Englishman of the name of Barrow], whose turn it was to come down next, not to attempt it; for that twenty or thirty feet were broken off from the rope. Notwithstanding this warning, which he heard distinctly, he put himself upon the rope, and coming down as far as it lasted, let go his hold: his friend Douglas, and the lieutenant, as soon as they saw him on the rope (for it was moonlight,) put themselves under him to break his fall, which in part they did; but falling from so great a height, he brought them both to the ground, dislocated one of his ancles, and broke several of his ribs. In this

road, the other, consisting of the Low Country regiments under lord George Murray, taking the coast road. A small body of Highlanders took a middle road leading to their own country by Braemar.

On the morning of the first of February, the duke of Cumberland reviewed the whole army, and proceeded to Falkirk, where he found the rebels had fled, leaving behind them the wounded men whom they had made prisoners in the late action. Brigadier Mordaunt, with all the dragoons, and the Argyleshire men, were sent in pursuit; but the rebels were too far on the road to be overtaken by them, and when they reached Stirling, they found the siege of the castle raised, and the rebels all on the other side of the Forth. The duke entered Stirling on the

extremity, the lieutenant raised him from the ground, and taking him upon his back, for he was slender and not very tall, carried him towards the road which led to Alloa. When the lieutenant was not able to go any further with his burden, other two of the company holding each of them one of Mr. Barrow's arms, helped him to hop along upon one leg. In this manner they went on very slowly a mile or so; but thinking that, at the rate they proceeded, they would certainly be overtaken, they resolved to call at the first house they should come to. When they came to a house they found a friend, for the landlord, who rented a small farm, was a whig, and as soon as he knew who they were, ordered one of his sons to bring a horse from the stable, take the lame gentleman behind him, and go as far as his assistance was necessary. Thus equipped they went on by Alloa to Tullyallan, a village near the sea, where they hired a boat to carry them off to the Vulture sloop of war, which was lying at anchor in the Frith of Forth. Captain Falconer of the Vulture received them very kindly, and gave them his barge to carry them to Queensferry. In their way to that place they saw some regiments of general Huske's division marching between Hopetown house and Borrowstounness.

"When the volunteers made their escape in this manner, Niel Macvicar, one of them, was left in the castle of Doune, for he had drawn the last number, and standing upon the battlements, saw the disaster of his friends. He concluded that the rope was not strong enough, and pulled it up, carried it to the cell, where there were some blankets, with which he completed the rope, beginning at the place where it had given way, and adding a good deal to its thickness, he went up to the battlements, fastened the rope, and put himself upon it. He came down very well till he reached that part of the rope where he had added so much to its thickness, that his hand could not grasp it, and falling from the same height that Mr. Barrow had done, but having nobody to break his fall, was so grievously hurt, bruised, and maimed, that he never recovered, but languished and died soon afterwards at the house of his father, who was a clergyman in the Island of Isla." *Home's History of the Rebellion*, pp. 136—139.

second, and was saluted by a triple discharge of the great guns from the castle which he had so suddenly and so completely relieved.

A fresh supply of about one hundred and twenty horses from Newcastle, for the service of the army, reached Edinburgh the day that it marched, which were sent after it with all expedition. Bligh's regiment came in next day, having been brought on its way by the country people on horses. Major-general Bland arrived in town at the same time, and followed the army next morning; as did the duke's secretary, Sir Everard Fawcener, the earl of Ancrum, and other officers, all of whom joined at Stirling, where the army halted, till the bridge, which had been broken down on the approach of the rebels, should be repaired.

THE

HISTORY OF SCOTLAND.

BOOK XI.

1746.

Charles proceeds for Inverness—The duke of Cumberland advances to Perth—Excesses of the royal army—Dutchess Dowager of Perth, and the Viscountess of Strathallan apprehended and sent to Edinburgh castle—The prince of Hesse lands at Leith—The royal army marches to Aberdeen—Notorious disaffection of the country—Perth occupied by the Hessians—Charles seizes upon the barrack of Ruthven—Narrowly escapes at Moy—Enters Inverness—Seizes Fort Augustus—Besieges Fort William—Joined by lady Seaforth and lady Macintosh—The lord president retreats to the Isle of Skye—Lord George Murray surprises the outposts of the royal army—Lays siege to the castle of Blair—Duke of Cumberland detaches a party into Argyleshire—Reinforces Fort William—Appin, and the country of the Camerons destroyed—Discouraging situation of Charles—Calls in all his out parties—The duke of Cumberland prepares for marching towards Inverness—Has one of his advanced posts surprised at Keith—Overruns and disarms Gleneak and Glen Prosen—Crosses the Spey—Halts at Nairn—Charles takes post on Drumossie muir—His order of battle—Is attacked and totally routed by the duke of Cumberland—Has a first and last interview with lord Lovat at Gortuleg—Meeting of the rebels at Ruthven—Great rejoicings, addresses, &c. on account of the dispersion of the rebels—The duke of Cumberland follows up his victory—Rebels everywhere apprehended—Proclamation concerning them—Ministers of the Church of Scotland required to give in lists of them—Part of the king's troops leave Inverness for the south—Burn every nonjurant meeting-house they come to—Lochiel attempts to make head against the king's forces—Narrowly escapes being made prisoner—Terrible devastation of the country—Secretary Murray is apprehended—Lord Lovat is sent under a strong guard to London—Loyal amusements—Robberies and murders perpetrated by the rebels—Wanton cruelty of the king's officers—Flight of Charles, &c. &c.

CHARLES having divided his army, and given orders for the whole to assemble in the neighbourhood of Inverness, proceeded himself direct by the Highland road, where he was in no danger of being overtaken, and on the sixth of February took up his lodgings at the castle of Blair. On the seventh, upwards of one thousand of the clans, a number of gentlemen on horseback, and about fifty baggage horses, with all the prisoners carried from Falkirk, who were in the most miserable condition, most

of them without shoes or stockings, arrived at Dalnacardoch, on their way to Ruthven in Badenoch. Eighty cart loads of baggage, followed by Lochiel and some others of the leading men of the party, followed the same route next day, leaving Charles and a few attendants at Blair, where he amused himself for some days with field sports, of which it appears he was an ardent admirer. Such of the men as had been forcibly carried with them to the south, from about Dunkeld and that neighbourhood, were now allowed, probably from the difficulty of subsisting them, to make their escape, and their outposts came no farther south than the pass of Killicrankie.

That division of the rebels under lord George Murray, and lord John Drummond, which took the other road, entered Perth on the second, to the number of fifteen hundred. Robertson of Faskally, and the laird of Blairfetty, followed next day from Crieff, with one hundred and forty men, bringing along with them seven pieces of brass cannon, four covered waggons, and upwards of two hundred stragglers. Next day, these seven pieces of brass cannon, four covered waggons, and fourteen carts laden with ammunition, escorted by lord Lewis Gordon's men, proceeded northwards by the way of Dunkeld. The main body, horse and foot, consisting of Charles' lifeguards, Pitsligo, Ogilvie, and Sir James Kinloch's men, took at the same time the route for Montrose, by Cupar of Angus, and were followed on the fourth by the French piquets, which had lain in garrison at Perth, by Faskally and Blairfetty, with their dependants, by the lords George Murray, Pitsligo, Elcho, Ogilvie, and Strathallan, with a number of gentlemen of less name but of equal notoriety. Secretary Murray had previously gone to Charles at Fairnton; and the French ambassador, lord Kilmarnock, Macleod of Raza, and another gentleman, went by the way of Dunkeld. Thirteen pieces of iron cannon, eight and twelve pounders, were left behind them, nailed up; and a great quantity of cannon balls, with fourteen swivel guns, that formerly belonged to the Hazard sloop of war, were thrown into the Tay.

The same day that the rebels evacuated Perth, the bridge of Stirling being repaired, the royal army, under the duke of Cumberland, marched from the latter city. The advanced

guard, consisting of the dragoons and the Argyleshire Highlanders, went on to Crieff. The foot were cantoned in and about Dunblane, where the duke of Cumberland also lay for that night, and next day reached Crieff. The advanced guard took possession of Perth on the fifth, and the duke arrived on the sixth. Detachments were immediately pushed forward to Dunkeld, and Castle Menzies, the former under the command of Sir Andrew Agnew, and the latter under the command of lieutenant-colonel Leighton. Magazines of bread and forage were ordered to be laid in; and it was resolved that the army should be allowed here to recover from the effects of the great fatigue it had undergone in making such long and hasty marches, through bad roads, in such an inclement season.

During the stay of the royal army at Stirling, a person of the name of Riddel was apprehended with a pass in his pocket signed by Charles, and hanged for a spy. A party was also sent, when the army was on the march, to relieve Sir Patrick Murray of Oughtertyre, and a Mr. Griffith, who had been made prisoners at the battle of Gladsmuir, and were on parole, which it effected accordingly. In their march through the estates belonging to the duke of Perth, and to lord Strathallan, the troops committed shameful excesses, under the pretence of searching for arms and ammunition, entering the houses of the rebels, and of such as were supposed to be along with them, and carrying off their silver plate, household goods, cattle, sheep, and hogs, which they sold by a kind of military auction when they arrived at Perth. Some parties of the Old Buffs brought in forty-five horses, which were sold for the benefit of the captors, and fifty-seven head of black cattle, which were ordered for the use of the army.* The same practices were afterwards too generally carried on in Fife, in Athol, and other places.

Several persons were taken up at Perth upon suspicion; and at Drummond castle, the dutchess dowager of Perth was apprehended and sent off to Edinburgh, under charge of a party of dragoons. The viscountess of Strathallan was sent to the same place, along with upwards of sixty persons, many of whom had

* Scots Magazine for 1746.

been confined in the castle of Stirling since the preceding September.

On the eighth, prince Frederick of Hesse, and the earl of Crawford, with five thousand Hessians, in thirty-six transports, escorted by four ships of war, arrived in Leith Roads from Williamstadt, having been only four days on the passage. The prince, the earl of Crawford, and some other persons of distinction, came on shore the same night, but the troops did not land till four days after. His serene highness was lodged at Holyrood house, where he was complimented by many persons of distinction, and he was entertained with balls, concerts of music, assemblies, &c. &c.*

Lord Mark Ker having been appointed governor of Edinburgh castle, arrived in that city the same day with the prince of Hesse, and was received with the usual formalities. Parties of this nobleman's, and of St. George's dragoons, Kingston's horse, and some divisions of Johnston's foot, arrived in Edinburgh about the same time, and were sent forward to the army at Perth. On the fifteenth, the duke of Cumberland came to pay his respects to his brother-in-law, the prince of Hesse, at Holyrood house, and to consult with him respecting their future operations, and the employment of the troops he had brought along with him. We are told by Home, that in a council of war held at the house of lord Milton, by his royal highness and the prince of Hesse, it was the opinion of all the generals that the war was at an end, and that his royal highness had nothing to do but to give his orders to the officers under him to march into the Highlands, as soon as the season would permit, and ferret the rebels out of their strong holds and fastnesses; for it was evident, they said, that the rebels would never risk a battle against an army commanded by the duke of Cumberland. This opinion, though highly flattering to his royal highness, does not appear to have been his own, or if it was, he wished for solid grounds to rest it upon; for he pressed lord Milton, who was present, and who wished to decline taking any part in the discussion, on account of his not being a military man, to give his

* Scots Magazine for 1746.

judgment, as he knew the Highlands better than any one who was present.* His lordship happily had sense enough to know, that nothing was more improbable, than that the rebels would so easily relinquish an undertaking for which they had already

* Lord Milton was at this time the oracle of Scottish politics, not much to some people's satisfaction, as appears from the following letter to the lord president.

"My L. P. I wrote you last week by the vessel which the J—ce Cl—k despatched to you. I know a digested, genuine account of the late battle will not only be agreeable to you, but useful; I therefore herewith send it to you, and send this special messenger with it, that I may ascertain myself of a letter from you, and give you an opportunity of writing to your friends with more liberty than you can do under the J—ce's cover, who you know loves to peep, and like all tyrants is jealous of every one, even of his own tools. I send you also herewith a corrected copy of the Edinburgh Packet, which contains the speech printed A^o 1725, in which I declare against partyship in the strongest terms; in which sentiment I still continue.

"After having said this, you'll be surprised to hear that I supped with lord Arn—n when he passed through Newcastle, and am become acquainted with his son the solicitor; and at the same time am declaredly antipode to the J—ce, insomuch that I do not so much as see him, much less speak with him, on account of his misbehaviour to me when he was a refugee at Berwick, notwithstanding the civility I shewed him, and the services I did him when he was at Newcastle; and this I do deliberately and resolutely, though I very well know that he is at present drunk with power. The marquis having demitted, the duke comes in to the same situation he was in before the patriots prevailed against Sir R. W—le, and consequently the J—ce is once more depute-vice-roy. He governs all; even H—y does not do little things which concern the army without his concurrence, so that he is generalissimo, to the no small damage of the publick. For instance, there lie three ships on the ground at Borristouness, driven up by the storm in which the Fox man of war was lost, having linen and woollen manufacture aboard to the value of L.25,000 sterling. These have been in no small danger since the battle, for want of a party of men posted there, or at Blackness, where they would be in absolute safety from being surprised and overpowered. I applied to general H—y, who remitted me to the J—ce Cl—k. I sent the master of one of the ships to him, with a representation and petition, whom he used rudely, on no other ground, than that the honest man has not thought fit to truckle to collector Mid—n, his tool, as having a suspicion of him as a J—te. I mention these things to you, that you may see the necessity of your being here, rather than at Inverness, that you may cheque him, and apply some remedy to the present disorders here, and prevent some of his blunders. This is the more needful, that the earl of Hume and his brother are declaredly in opposition to the viceroy. The Sq—n is routed, and thus the whole nation is in the opposition, his tools excepted." Culloden Papers, p. 266.

gone such lengths, and made so many sacrifices; he had also honesty enough to say so, and his royal highness returned to Perth next day, to forward the march of his troops in pursuit of the enemy.*

Three battalions of the foot were now pushed forward to Cupar of Angus, and a regiment of dragoons to Dundee; and by the twentieth, the whole army, in four divisions, set out for Aberdeen by the way of Montrose. The whole reached Aberdeen by the twenty-eighth. The Scots Fusiliers, under the command of major Colville, were left at Perth. Sir Andrew Agnew, with three hundred men, was stationed at Blair; and captain Webster, with two hundred men in Castle Menzies, for the purpose of securing Tay bridge.

The duke was waited upon on his arrival at Aberdeen, by most of the noblemen and gentlemen in that neighbourhood; and Grant, younger of Grant, proffered to join him with six hundred of his own people, as soon as the army should be ready to march.†

On his arrival at Aberdeen, his royal highness detached lord Ancrum with one hundred dragoons, and major Morris with three hundred foot, to the castle of Corgaf, situate at the head of the river Don, to seize upon some arms and ammunition that had been lately landed from a Spanish vessel, and deposited there for the use of the rebels; and though in the very heart of the country possessed by them, his lordship got possession of it without opposition—those who were stationed there quitting it on his approach. As the country could not afford horses to carry them off, his lordship was under the necessity of destroying the arms, and throwing the gunpowder, about thirty barrels, into the river.‡

There was all this time little known respecting the proceedings of the rebels; so little, indeed, that the general opinion was that they were finally dispersed, and it was intended to send home the Hessians, under an impression that there would not be any occasion for their services. Stories, the most vague and the most ridiculous, were industriously propagated, for the purpose of misleading, and in the end perplexing the duke of

* Home's History of the Rebellion, p. 141.

† Scots Magazine for 1746.

‡ Ibid.

Cumberland in his operations; and there was such a notorious disaffection through the country which he now occupied, that he could hardly be sure of any thing said to him. In the small town of Forfar, where each of his four divisions halted a night on the march to Aberdeen, three French officers were concealed all the time; and he had no sooner passed, than they began again to recruit for the pretender. He had also information that several of the leading rebels were in the town of Aberdeen at the same time that his army was quartered there, but he searched for them in vain. At Montrose, the disaffected were so bold as to form a design of liberating all the prisoners brought in there by the king's troops; but Kingston's horse being left behind for a short time, prevented the plot being executed, and the prisoners were removed under a strong guard to Stirling.* A vessel having entered the port of Aberdeen about this time, with some supplies from France, and another the harbour of Stonehaven, and five or six more being reported as already on the Scottish coast, his grace the duke of Cumberland thought it advisable to countermand the sailing of the Hessians; and in case Charles should attempt to give him the slip, and march by the hill road again into the Lowlands, he ordered prince Frederick of Hesse to occupy Perth and Stirling—the latter with two, and the former with four battalions. St. George's dragoons, with the remains of Hamilton's and Ligonier's, were stationed, the former at the Bridge of Earn, and the latter at Bannockburn, under the command of the earl of Crawford.

These precautions were more necessary than at the time was generally believed, the rebels being in much more comfortable circumstances than any wellwisher to his country could have wished. They were indeed considerably dispersed, but they were in their own country, were only depositing the spoils they had acquired in their expedition to the south, and were likely soon to be assembled in still greater numbers, and with undiminished appetites for the good things which, they had proof enough, that quarter of the country furnished in abundance. In marching through Badenoch, Charles seized upon

* Scots Magazine for 1746.

and destroyed the barracks at Ruthven, in which there was a garrison of only twelve men, three of them unfit for service, under the command of lieutenant Mulloy. Here the Macphersons under Clunie, being in their own country, and at hand when they should be wanted, were allowed to remain, and Charles pushed forward towards Inverness, to which the divisions of his army that had taken more easterly roads were also approaching; and as there was no force in the country to oppose them, but the small army under lord Loudon, neither of the divisions were under any apprehensions of being attacked. Accordingly Charles, with a small number of followers, on the night of the sixteenth of February, took up his quarters at Moy with the lady Mackintosh, who was a daughter of Farquharson's of Invercauld, and a violent Jacobite, though her father and her husband were both in the king's army. Here he had been most certainly secured by the earl of Loudon, and an end put to the war, but for the ignorant devotion to his cause that pervaded the country. Aware of the slender retinue that attended Charles, his lordship set out from Inverness in the dusk of the evening, at the head of fifteen hundred men, intending to be at Moy, which is about ten miles from Inverness, by eleven o'clock at night. His lordship had taken every possible precaution to keep the object of his march a profound secret, yet lady Macintosh was informed of it by two letters time enough to render it abortive. These letters, according to Home, were the one from Fraser of Gorthleck, (Gortuleg,) and the other from her own mother, who, though a whig, could not brook the idea of Charles being slain in her daughter's house.* Measures were of course taken

* The chevalier de Johnstone gives the merit of this discovery to the daughter of a Mrs. Bailey, an innkeeper in Inverness, a girl of fourteen, who picked up the plot from some English officers drinking at her mother's house, and without a moment's loss of time left the house, and, notwithstanding the vigilance of the sentinels, made her escape from the town, and hastened to Moy with the intelligence; in consequence of which, Charles, "in his robe de chambre, nightcap, and slippers, fled to the neighbouring mountains, where he passed the night in concealment. This dear girl," he adds, "to whom the prince owed his life, was in great danger of losing her own, from her excessive fatigue on this occasion; but the care and attention she experienced restored her to life, and her health was at length re-established."—Memoirs of the Rebellion, &c. pp. 145, 146.

for his safety, and the blacksmith of the village, with a few of his companions, lay in ambush upon the road a small distance from the place, and as the head of the column approached, never suspecting but their march was known only to themselves, a sudden fire from both sides of the road, with loud shouts of the Macdonalds, the Camerons, &c. &c. threw the whole into a most unaccountable panic, and they fled back to Inverness without stopping to see if they had any pursuers, many of them being thrown down, and almost trampled to death by their flying companions.*

Charles next day assembled his men, and marched against lord Loudon at Inverness, who was in no condition to resist an army so numerous as that which Charles commanded. He therefore threw two of his companies, one, the Grants, under Rothiemurchus, the other the Macleods, with a few old soldiers, into the castle, which was sufficiently provided with provisions, and having shipped his arms and ammunition, on the eighteenth crossed the ferry at Kessack, and retreated into Ross-shire without losing a man, though the enemy entered the town at the one end as he went out at the other. As he carried all the boats with him, he could not be immediately pursued; the castle of Inverness, too, occupied the attention of Charles till the twentieth, when it surrendered. Here Charles got sixteen cannon, with store of ammunition, which was very fortunate for him, as he had lost the greater part of his cannon in the retreat northwards. The castle was also stocked with upwards of a hundred barrels of beef and other provisions, which was equally useful with the cannon and ammunition.

Events had now taken exactly that turn which had been foreseen by the lord president, and which he had so earnestly pressed the government to enable him to guard against, but which they had all along most shamefully neglected to do,†

* Home's History of the Rebellion, p. 143. Memoirs of the Rebellion by the chevalier de Johnstone, pp. 145—147.

† "My last to the marquis of Tweeddale, which I presume has been laid before his majesty, was of the 29th of December, by the Saltash. Since that period no alteration of any consequence has happened in this part of the country. The want of arms to put in their hands, and of money to subside them, made it impossible to call in a further force from the well affected clans

the whole force of the rebels was concentrated at Inverness, and they were nearly undisputed masters of the whole surrounding country. The castle of Inverness was no sooner in their possession than they hasted to lay siege to Fort Augustus,

to Inverness (which is in some sort the key of this country) for its security, whilst with the troops already on foot, we might have proceeded southwards by the coast to have straitened the rebels; and our uncertainty of the strength or intentions of the rebels who escaped from England, and who might (so far as we could see) have thought of directing their course this way, obliged us to content ourselves with securing this post, keeping the disaffected in this neighbourhood in awe, and protecting the country on this side the Spey from the levying men and money projected by the rebels. In this we have hitherto succeeded, though oppressed every moment with the gloomy apprehensions of being soon obliged to disband the troops we had for lack of subsistence, in place of doing what further service might reasonably have been expected from us, had we been timously supplied with the arms and money we called for.

"From this anxiety your grace's letter has in a great measure relieved us, by giving us notice that orders have been ordered for providing forthwith a sloop, to convey to us 1000 stand of arms, with a sum of money for the payment of the troops. Immediately after receiving this intimation from your grace, we took the necessary measures to have in readiness as many of the well affected clans, as, upon the arrival of the sloop, we can arm; and with those, soon after the arrival of the sloop, we are in hopes of being able to perform some useful service. But I must take the liberty to suggest to your grace, that the number of arms sent is too small; double the number might be profitably employed, and if there should be no occasion for employing them, they might be locked up in Fort George, or returned to the Tower. What money the sloop carries we cannot know, as your grace has not mentioned it; but be it ever so small it will be welcome, as our cash is run very low. I must however, also, on this subject, presume humbly to suggest to your grace, that the contingent expenses run pretty high with us; that they must run still higher when we call in a posse, which we must subsist; that, as there is neither coins nor recourse for credit in this country, we have no fund to put our hand to, for defraying those extraordinary expenses, but the money intended for the pay of the troops; and therefore that it is absolutely necessary to make such a remittance in money, to be accounted for, as shall answer these occasions, and enable us to make use of the power that is in our hands for putting an end, as speedily as it is possible, to this destructive rebellion; the continuance whereof for weeks, at this season of the year, and in the present situation of the affairs of Europe, may be of the worst consequence." *Culloden Papers*, pp. 470, 471.

"What distressed us most in this country, and was the real cause why the rebels came to a head after their flight from Stirling, was the want of arms and money, which God knows had been long enough called for, and expected. Had these come in due time, we could have armed a force sufficient to have

and by the aid of some battering cannon, found in the former fortress, were masters of it in a few days, the garrison, three companies of Guise's regiment, being made prisoners of war. Having taken and demolished Fort Augustus, the same troops, under general Stapleton, proceeded to Fort William. Three hundred of the Irish piquets went along with him, and the Camerons, the Macdonalds of Keppoch, and the Stuarts of Appin, under the command of Lochiel, were to join him by the way. In the meantime they were increasing their forces without any interruption. The fiery cross was flying in all directions, and fine ladies, such was their devotion to the cause, whose husbands were already with the principal part of their people in arms for the government, gathered up the remainder, and presented them to Charles. Among these was the lady Seaforth, and the lady Macintosh, of whom we have already made mention, both of whom joined the pretender's son at Inverness, the former at the head of a few Mackenzies, and the latter with some Macintoshes.*

prevented their looking at us on this side Drummochter. The men were prepared, several hundreds assembled in their own countrys, and some hundreds actually on their march; but, unluckily, the ship that brought the few arms that were sent, and the sum of money that came, did not arrive in our road sooner than the very day on which the rebels made themselves masters of the barracks of Ruthven. It was thus too late to fetch unarmed men from distances; it was even unsafe to land the arms and the money; so we were forced to suffer them to remain on board, and to retreat with the force we had, to preserve them for the further annoyance of the enemy."—Culloden Papers, p. 275. Home's History of the Rebellion, p. 144.

* London Gazette, March 22d, 1746. Ray's History of the Rebellion, p. 305.

Charles was a particular favourite with the ladies. The lord president observed, that after the rebels' successes at Edinburgh and Prestonpans, "all Jacobites, however prudent, became mad; all doubtful people became Jacobites; all bankrupts became heroes, and talked of nothing but hereditary rights and victory; and what was more grievous to men of gallantry, and, if you will believe me, more mischievous to the public, all the fine ladies, if you will except one or two, became passionately fond of the young adventurer, and used all their arts and industry for him in the most intemperate manner." Culloden Papers, p. 250. One of these fine ladies, unable to prevail upon her husband to ruin her, himself, and his family, by joining Charles, and apprehending one morning that he intended setting out for Culloden to offer his services as a loyal subject, contrived, while making tea for breakfast, to pour

The lord president, who had so powerfully exerted himself in keeping the country quiet, and preventing supplies of men being forwarded to the rebel army, was now, as we have seen, obliged to retreat along with lord Loudon into Ross-shire, whither they were immediately pursued by Glengary, Clanronald, Ardshiel, Glengyle, and Barisdale's battalions, under the command of the duke of Perth, and the earl of Cromarty. Lord Loudon then passed over the Frith of Tain into Sutherlandshire, where he was again safe for some time, owing to the enemy's want of boats to follow him. Lord George Murray, who had also been sent out after lord Loudon and the president, now returned to Inverness, in prosecution of a design he had formed against the king's troops quartered in Athol, leaving the duke of Perth to prosecute the war in Sutherland, for which his force seemed to be more than sufficient.

After watching one another for some time, lord Loudon at Dornoch, and the duke of Perth at Ferintosh, the latter procured a number of boats from Tain, and taking advantage of a thick fog, crossed the Frith undiscovered, surprised about two hundred of lord Loudon's own regiment near Dornoch, making

a large quantity of boiling water upon his knees and legs, which effectually put an end to any active movements on his part for that season. In the meantime her ladyship sent off his men to the assistance of the rebels, under a commander of her own choice. Col. Stewart's Sketches, vol. i. pp. 111, 112.

Anecdotes like these, to superficial thinkers, throw an air of romantic generosity and disinterestedness over the characters which are the subjects of them, and for this reason they have been gathered up with the most careful industry, and repeated with many exaggerations. To him, however, who is conversant with the varieties of human character, and the subtilities of the human heart, they betray only the extreme cunning with which selfishness inspires a poor and semibarbarous people. In all cases where this "intemperance" was manifested by the ladies, it will be found that the loyalty of the lairds was of a very doubtful kind, having no higher motive than the preservation of an estate, a place, or a pension, being perfectly akin to the devotion which is said to be paid by some heathen nations to the devil, lest they should happen some time or other to come under his power. In one of the above cases, not to speak of any other at present, this was perfectly evident. Macintosh had a company in the Highland Watch, but his lady had scarcely joined the rebels when he was made a prisoner by them, and delivered to the charge of his wife, Charles observing, "that he could not be in better security, nor more honourably treated."

a major Mackenzie, the laird of Forsie, a few other gentlemen, and about sixty men, prisoners.* Lord Loudon, the lord president, and the laird of Macleod, with about eight hundred men, escaped through Sutherland to the sea coast, and embarked for the Isle of Skye. A few of the officers of lord Loudon's regiment were fortunately cut off from their companions, and retreated into lord Rea's country, where we shall meet with them again performing the most essential services.

While such was the fate of the war in Ross and Sutherland, lord George Murray, when he arrived at Inverness, proceeded to execute a plan he had laid down for surprising the different small garrisons or outposts which his majesty's troops had formed in Athol, to the number of about thirty. For this purpose, taking with him one regiment of his Athol brigade, he hastened to Badenoch, where he was joined by Clunie with three hundred Macphersons. On the evening of the sixteenth of March, having previously secured all the passes between Badenoch and Athol, they set out from Dalwhinnie with seven hundred men, not one of whom, the two commanders excepted, knew either where they were going, or what was intended to be done.

At Dalspeddel, which is about the middle of Drummochter, the whole made a halt, and were divided into a great many parties, in each of which the Athol men and Macphersons were mixed, in proportion to their numbers in the detachment. Their business was then explained to them, which was to attack simultaneously, during the dead of the night, all the posts in Athol occupied by Argyleshiremen or regulars, and a guinea was promised to every man who should surprise a sentinel on his post. The bridge of Bruar, two miles to the north of Blair, was appointed the place of rendezvous where all the different parties were to meet when they had discharged their duty, and where they were to find lord George Murray and Clunie waiting for them.

Between three and five o'clock in the morning, so successful were these parties, the whole of the posts, thirty in number, were carried, several of the king's troops killed, and upwards of

* Culloden Papers, vol. ii. p. 505.

three hundred taken prisoners, without the loss of a man on the part of the rebels. At Bun-Rannoch, one of the principal of these posts, there happened to be a lyk-walk, in which the Argyleshiremen there quartered were engaged, their sentinel was surprised, and they were to a man made prisoners, without so much as a single shot being fired on either side. At the house of Kinnachin the sentinel was upon his guard, and discharged his piece at the approach of the Highlanders, which alarmed his companions, who defended themselves from the windows till the party broke in upon them, and having killed one of their number, made the rest prisoners. But the far greater part of the troops were totally taken by surprise, and consequently made no resistance. At the public house at Blair alone was the resistance such as to be effectual for saving any considerable portion of the party. Here the whole of the officers escaped into the castle of Blair, and this circumstance had nearly robbed the rebels of the fruits of their success, after all danger might have been supposed to be over. The castle of Blair had been occupied by Sir Andrew Agnew with a detachment, according to some accounts, consisting of five hundred, and according to others, more accurate, we believe, of three hundred men, for the purpose of watching over the peace of the country, and checking such predatory expeditions as in the present state of the rebel army, might naturally be expected to be of frequent occurrence. Alarmed by the report of his officers who had escaped from the inn at Blair, Sir Andrew had his men instantly under arms, and sallied forth to satisfy himself who they were that thus rudely dared to beat up his quarters. Day was just about to break, and not one of the parties had yet appeared, when lord George Murray and Clunie, having only twenty-five private men, and some elderly gentlemen along with them, received notice at the bridge of Bruar, that Sir Andrew Agnew with his whole detachment was approaching. It was now a question of the last importance, what was to be done? Some advised to make their way with the utmost speed to Drummochter; others, that they should take instantly to the hills, and secure their retreat by roads that were impassable to their pursuers. Lord George Murray, however, aware that if he should quit his post his parties would,

whatever might have been their success, which as yet he did not know, fall one by one into the hands of the enemy as they came forward, determined to make the most of his position, and looking around him, for it was now daylight, observed an unfinished fold dyke, of a considerable length, that cut a field near the bridge in two. Behind this dyke he drew up the few men he had, at such a distance from one another, as to make a great show, having the colours of both regiments, his Athol regiment and the Macphersons, waving in front. He then ordered his pipers, for he had the pipers of both regiments as well as their colours, to keep their eyes fixed on the road to Blair, and the moment they perceived the appearance of troops, to strike up with all their bagpipes at once. The sun now rose, the English came in sight, and at the same instant the pipers poured forth one of their most noisy pibrochs. Lord George Murray and his Highlanders, officers and men, brandished their swords. Sir Andrew Agnew gazed upon the spectacle, and after a little ordered his men to the right about, and marched back to the castle of Blair. Lord George Murray was soon joined by a number of successful parties, and, flushed with victory, proceeded to the castle of Blair, which he closely invested from the seventeenth to the thirty-first of March, and had certainly reduced, had it not been in the keeping of a man of the most determined character.*

Before giving an account of this siege, however, we shall advert to several projects which the rebels were carrying forward at the same time, and of some of the operations of the royal army, which was thus taught to be more careful of its discipline, seeing it had to do with enemies not quite so contemptible as they had been represented by the prejudiced, the interested, and ignorant scribblers of that day. At the same time, there was nothing at all wonderful in the success of these excursions; they were for the most part conducted by the proprietors of the houses occupied by the parties against which they were sent, and the troops were, the greater part of them, no other than the servants belonging to these houses, or the

* Home's History of the Rebellion, pp. 146, 148. Scots Mag. for 1746. Ditto, for 1808.

tenants upon the estates—men who knew every inch of the ground they were to traverse, and every avenue and entry to the houses much better than the persons who had now the occupancy of them;* and where there was any deficiency in

* We have the following statements respecting two of these posts in a note to *Memoirs of the Rebellion* by the chevalier de Johnstone, p. 155—157:—
 “ I had a full account,” says the writer, “ of the expedition, thirty years ago, from the lady Blairfetty, and from M'Laren, laird of Easthaugh, both in Athol. The lady Blairfetty said there was a garrison in Blairfetty house of about fifty men; that they did no other mischief to her than eating all her provisions, and that she and her children were starving; that she sent a herd-boy to her husband, who was at Inverness, to see if he could give her any redress, and desired the boy to come back immediately. The boy did not return; but four or five nights afterwards, when she was in bed, she was called up by a rap at her room door, and she asked what was wanted. A person, whose voice she knew to be one of the servants who had gone off with her husband, answered that Blairfetty was below, and wished to see her immediately. When she went down she saw the garrison disarmed, and prisoners in the dining-room, and about a dozen of her husband's tenants and servants standing over them with drawn swords. Blairfetty desired her to point out any of the prisoners who had behaved ill to her; she answered, she had no complaint but what I have stated, and after four or five days Blairfetty and his men left the house, taking the officers' word of honour that they would behave with civility, and give his wife and children a share of the provisions they had for themselves, and they afterwards did behave civilly.” From this statement it is evident, that whatever success Blairfetty had at first in surprising the king's troops stationed in his house, they were at last left in full possession of it, under a promise of behaving civilly to the family. It is also obvious, that if he remained at his own house for four or five days, his could scarcely be one of the successful parties that met lord George Murray at the bridge of Bruar. The writer of the note adds, “ the house was pillaged after the battle of Cul-loden.” “ Easthaugh's account was, that he was a boy of about fifteen or sixteen years of age at the time, and joined the Highlanders with a number of his relations, under the guidance of an uncle, I think he said the laird of Orrot, and that there came to Inverness various complaints of oppression by the soldiers upon the families of the Athol gentlemen who were with the Highlanders, and they all agreed to come off and redress them, and got leave of absence for eight or ten days. They came south to the braes of Athol, and remained there until they calculated they could reach their houses about midnight, and then they separated, every laird with his own men taking the road to his own house. He accompanied his uncle, and they arrived at his uncle's house about one in the morning. All was quiet, and having somehow or other got in, they first took possession of the room where the arms were, and collected all the soldiers from different rooms and out-houses one after another, and put them into some room or house, with a declaration, that if

point of local knowledge, they had almost every man, woman, and child in the country, not excepting sometimes the military themselves, to be their directors.

Four companies of the Argyleshire militia, detached from the army of his royal highness the duke of Cumberland at Perth, arrived at Dunbarton on the twenty-second of February, on their way to Inverary, and were followed next day by general Campbell, and four companies more, in order to prevent the adherents of Charles from penetrating into that shire, or being joined by any of the disaffected there. Fortunately general Campbell was able also to pay particular attention to Fort William, into which he threw three hundred Argyleshiremen, with a good engineer. Fifty men of Guise's regiment, who had been gathered together at Edinburgh, were also, with some other troops under the command of a captain-lieutenant, ordered thither, with the *Serpent* and *Baltimore* sloops of war, all necessary precautions, as brigadier Stapleton was already on his way with a train of artillery, and a large body of Charles' best troops, to besiege the fortress.

As a measure preparatory to the siege, even some days previous to the arrival of general Stapleton, parties of rebels posted themselves on each side of the narrows of Carron, where they took one of the boats belonging to the *Baltimore*, as she was coming from Scallestal Bay, and sent the crew prisoners to their head-quarters. In consequence of this accident, it was resolved, in a council of both the land and sea officers, to send out a party sufficiently strong to dislodge the rebels. Accordingly,

there was the least noise they should be put to death. His uncle and he went to the room where the commander of the party was lying, whom his uncle desired to get up. The officer had his sword at his pillow, and when he was laying his hand upon it, his uncle stabbed him dead. They remained a few days, and returned to Inverness, meeting all the detachments at the place where they had before separated. I do not remember what he said about the conduct of the soldiers at Orrot, nor did he say any thing about Blair, but he observed, that all the detachments were successful, with little or no bloodshed." This account in the general agrees with the statement we have given in the text. Where it differs, the difference may be accounted for from the time that had elapsed between the fact and the narration, and from the probability, that being a boy, the narrator had not been put in possession of all the parts of the plan that was so successfully acted upon.

early the same morning, captain Askew, of the *Serpent* sloop, sent his boat with twenty-seven men, the *Baltimore's* boat with twenty-four, and a boat belonging to the fort with twenty, down the narrows, where they all arrived by daylight. Captain Askew's men landed first, and were immediately attacked by a party of the rebels, who fired upon them, but without effect. On the men belonging to the other boats coming up, the rebels fled, and were pursued by the boats' crews, who burnt the ferry houses on both sides of the water, together with a little town containing twelve houses, about a quarter of a mile distant from the north ferry house. They also destroyed or brought off all their boats. In this affair two of the rebels were killed, and several of them wounded. During the skirmish a boat, with a party of militia from the castle of Ellanstalker, passed safely into Fort William.

On the sixth of March, captain Frederick Scott came from Dunstaffnage to the castle of Ellanstalker, but found the rebels in possession of the narrows of Carron on both sides. He found means, however, to throw himself into Fort William, the defence of which, under the governor Campbell, he undertook, and successfully conducted. The rebels, indeed, though they continued the siege to the third of April, and conducted it with more regularity than any other thing of the kind they attempted, made but little progress. Being utterly unable to shut up the communication by sea, the garrison was abundantly supplied with provisions from Inverary, and never appeared to be in any danger of falling into their hands. It was the twentieth of the month before they were ready to open their batteries, and in most of the encounters during the eleven days the siege continued, the besieged seem to have rather been the victors. On the twenty-second, the fire of the besiegers was silenced by the destruction of their principal battery. On the twenty-third, several vessels threw in supplies to the fort; and on the twenty-fifth, the garrison despatched a party to the distance of six miles, which in the afternoon returned with nineteen head of cattle. That same night, another detachment was sent out from the fort, with orders to pass the narrows of Carron, and to bring off what cattle they could find from the adjacent estates of the besiegers. This detachment returned next day, bringing

in four prisoners, one of whom they had dangerously wounded, with a number of sheep and cattle, taken from the country near Ardshiel. They had likewise burned down two villages belonging to one of the chiefs of the Highlanders, and destroyed the whole estate of the unfortunate Appin.*

During this siege, twenty-six villages in Morven, and places adjacent, chiefly belonging to the Camerons, were burnt by a party sent on shore from the sloops of war upon the coast. A manifesto was in consequence set forth by Lochiel and Keppoch, in which this act was charged upon the Campbells, whom they upbraided with disloyalty, cowardice, and cruelty, and for every house that should hereafter be burned, they hoped to prevail with their prince to hang a Campbell. Lochiel added as a postscript, "I cannot omit taking notice, that my people have been the first that have felt the cowardly barbarity of my pretended Campbell friends; I shall only desire to live to have an opportunity of thanking them for it in the open field."†

The Campbells probably had sufficient knowledge of the disposition of their good friends the Camerons, without this public declaration of it; and general Campbell had made preparations to give them a suitable reception, should they find leisure, and obtain leave from him they called their prince, to come into that region. By the middle of March, all the men in Argyleshire, able to bear arms, were assembling at Inverary; and two additional companies of the Scots Fusiliers, stationed at Dunbarton, had also been ordered thither. Maclean of Brolus had also joined him with a portion of his clan; and in order to fortify the place, twelve pieces of cannon had already been commissioned from Greenock. There was, however, no occasion for these precautionary measures. Circumstances ominous and dark were thickening around the infatuated insurgents; and the few partial successes they had obtained, or were obtaining, to the ken of the experienced politician, were but, like the fitful startings of the flame from the bottom of the socket, certain preludes to its speedy extinction.

In the beginning of March, the duke of Cumberland pub-

* Scots Magazine for 1746.

† Marchant's History of the Rebellion, pp. 367, 369

lished an order, which he caused to be read from the pulpits, commanding all who had been pressed into the service of Charles, forthwith to deliver up their arms; promising all such as should comply, to recommend them to the royal mercy. The duke of Athol also had commanded all his vassals, who were with the rebel army, to join themselves to the king's troops, or to deliver up their arms, and return to their peaceful occupations, on pain of being proceeded against with the utmost severity; and not a few had been induced by these means to desert the cause. Irritation at the presence, and especially at the conduct of the royal army, which, in many respects was far from being commendable;* and, above all, the misrepresentations of the Jacobites, and the partial success which had attended some of their late operations, turned the tide of popular feeling again in their favours, and many of their deserters were foolish enough to return.† But they were not at all scrupulous about their mode of recruiting, and wherever they came, and had any authority, if there were men they were not to be at a loss for soldiers. It was not of course strange, now when they had extended their parties as far as Nairn house, within five miles of Perth, and across the whole island, from the east sea to the west, that they were confident in their numbers; and being among their own wild glens, and upon their own barren mountains, that they were intrepid and enterprising.

But the soldier, though an important one, is still but one of the implements of war, and without a sword, and a competent sustenance, can neither defend himself, nor annoy his enemies, and Charles now found that he had allowed himself to be cooped up in a country, which yielded these latter articles very sparingly. In short, the country, poor at best, from the number of parties that had traversed it, was literally eaten up; and

* Instances corroborative of this remark, will be found in abundance as we go along. The following order, read from the pulpit of the church of Perth, and several others in the neighbourhood, on the 29th February, is too glaring to be omitted. "Any person within this parish, that shall conceal any rebels, or arms, ammunition, or any thing else belonging to the rebels, and shall not bring in the said rebel stores or goods, to provost James Cree of Perth, shall, upon proof of disobedience of this order, BE HANGED."

† Scots Magazine for 1746.

though the rebel army at this time was widely spread, it was a matter of no small difficulty to subsist it.* The military chest of Charles too was empty, and that regularity of payment which had proved such a powerful stimulus to the poor Highlanders, he was now under the necessity of discontinuing. That puny war of piquets, also, in which his followers had displayed so much courage and dexterity, could not be carried on much longer. The spring was rapidly advancing, and beneath the parching March winds, or the clear skies of April, every river might be expected to be fordable. The duke of Cumberland, with a large and well appointed army, supplied by sea with every necessary, was drawing nearer him every day, and he had only two alternatives—either to concentrate his forces, and at once bring his cause to an issue by one decisive battle, or taking refuge among the mountains, attempt to get once more into the Low Country, without the possession of which he had no prospect of getting any money. The latter he had already tried, and it had not done for him what he expected—besides, it was not now so easy to be done as when he lay at Dalwhinnie, and Sir John Cope at Inverness. Perth was now occupied by upwards of five thousand Hessians. Stirling castle was at least as strong as when he left it; and that whole country, he knew from experience, was highly inimical to his cause. Of battles, however, he was exceedingly fond; they had once and

* The miserable state of the Highlands at this time might easily be inferred, though a single document had not been preserved on the subject. A poor country at best, and barely able to subsist itself in the most plentiful and peaceable times, what could it be now, that it was traversed by armies, the one burning the houses and barnyards of such as quietly remained at home, the other those belonging to such as had for safety gone abroad.

“For some time,” says the chevalier de Johnstone, “provisions had become very scarce at Inverness, and our army suffered very much from want of food. Our military chest, too, was empty, as the prince had not, at most, above five hundred Louis; and we were without hope of obtaining any pecuniary supplies in the Highlands, into which we had blindly precipitated ourselves, from the extreme indigence of the inhabitants. Every body felt the distress, more or less. We were shut up in the mountains, and our communication with the Low Country completely cut off by the English army. The richest lords in our army were very much embarrassed to find means to defray their expenses, being unable to obtain any money from their tenants.” *Memoirs of the Rebellion*, p. 171.

again, as if by miracle, been decided in his favour, and his faith in the invincibility of Highlanders, had been, by late events, instead of being weakened, greatly strengthened. Of course, he adopted the former without any hesitation, and his different divisions were summoned in from all quarters, and from all their avocations, to make a last and decisive effort at the fords of the Spey.*

Lord George Murray, by far the ablest of his attendants, had sat, as we have seen, down on the seventeenth before the castle of Blair, which was defended by Sir Andrew Agnew, with a garrison, (according to the late general Melville, who, himself a subaltern officer at the time, formed part of that garrison,) amounting to two hundred and seventy men, rank and file; and as there were no apprehensions entertained of the communication with other divisions of the army being cut off, the place was almost without ammunition, and without provisions. When their whole stock of serviceable cartridges was examined, it was found to contain only nineteen to each man. "The provisions," except what were accidentally in it for the use of the commandant and officers, "consisted chiefly, if not wholly, of biscuit and cheese; of which, too, the quantity was so small, that the whole allowance *per diem* for each man, was only one pound of biscuit, a quarter a pound of cheese, and a bottle of water." There were in the castle, which is the family seat of the duke of Athol, besides the garrison, seven persons, *viz.* a land steward, a female housekeeper, with three maid servants, a gardener, and a gamekeeper.

So closely and so suddenly was the place invested on all sides by the rebel forces, that it was with difficulty the out piquet, with some horses, and a small quantity of provender, could be brought into the house. One horse could not be got into the house itself, and was put, without either forage or water, into the lower part of a tower that projected from the west end of the castle, the entry into which, could be defended from some of the windows. The great door in the staircase was then barricadoed, and a small guard placed upon it. For the defence of an unfinished building on the east end of the

* Lockhart Papers, vol. ii. pp. 506, 507.

castle, and which communicated with it through a door, by a ladder of ten or twelve steps, a platform of loose boards was hastily thrown upon the joists, and an ensign, with twenty-five men, posted upon it, who was not relieved during the time the blockade lasted. There was a draw-well within the house, upon which a small guard was placed to prevent any water being taken from it, except during one hour in the morning, a precaution that was judged necessary to ensure the supply being sufficiently pure.

The rebel generals who had taken up their quarters at the inn, in the village of Blair, sent early in the forenoon a summons, written upon a piece of coarse paper, requiring Sir Andrew Agnew, baronet, commanding the troops of the elector of Hanover, to surrender forthwith the castle, garrison, military stores, &c. &c. into the hands of lieutenant-general lord George Murray, commanding there, the forces of his royal highness the prince regent, as the said Sir Andrew Agnew should answer to his country at his peril. The bearer of this summons, was like the summons itself, of no ordinary character, being no other than a handsome young woman, a servant at the inn, who, hearing every Highlander there, from the impressions he had received of the outrageous disposition of Sir Andrew Agnew, refuse to be the bearer, volunteered her service, conceiving that, from the friendly footing on which she stood with some of the young officers, she would be in no danger. As she approached the castle, however, she took care to wave the paper round her head as a token of her embassy, and being met at one of the windows by three or four of the officers, she strongly urged them to comply with the summons, promising them very good treatment from lord George Murray, and the other Highland gentlemen; but if any resistance were made, denounced—as the Highlanders were one thousand strong, and had cannon—the burning of the castle, and the total destruction of the garrison.

This earnestness on the part of the young woman, was a subject of much mirth to the officers, who assured her these gentlemen would soon be driven away, and the garrison, as before, become her daily visitors. True to her engagement, however, she insisted upon the paper being at least carried to Sir

Andrew, which none of them were inclined to do, with the exception of one timid lieutenant, who, in hope of its demands being complied with, ventured with it into the knight's presence, who no sooner heard its preamble, than he drove the lieutenant out of the room to return the paper, vociferating after him the strongest expressions of contempt for lord George Murray, and threatening to shoot through the head any other messenger he might send. The girl hearing this, was fain to take back her summons, and happy to return with her life to lord George Murray, who, with lord Nairn, Clunie, and some other officers, were seen waiting together in the church-yard of Blair to receive her, and by their gestures, seemed to be highly diverted by her report.

From that day forward, no attempt was made to open up any intercourse with the garrison, and the principal hope of the rebels seemed to be from the power of famine, having probably heard of the scanty supply of provisions with which the place was furnished, and the number of men they had before it, enabled them to draw up close to the walls in all places where they were not exposed to the fire of musketry from the house, so that it was impossible for them to receive any sort of supply. They had also along with them two fieldpieces, which they planted behind a wall a little to the east of the village of Blair, by which they attempted to set the house on fire by red-hot bullets. "All their attempts, however, proved ineffectual, the bullets which lodged in the roof, or other solid timber, did not set it on fire, but only burnt black, or charred what was around them, and either fell out of themselves, or being otherwise got hold of, were caught up in an iron ladle, and tossed into tubs of urine set for the purpose, for better water could not be afforded for cooling them."

Sir Andrew Agnew was a man whom no danger could daunt, and no hardship deter from following out his purpose; but, if the blockade could have been continued a little longer, he must have been compelled either to capitulate, or, by a desperate effort, break through the besieging army, and join the king's troops at castle Menzies, which, it appears, was the determination that the whole garrison had come to. As a last effort, before having recourse to an expedient so dangerous, the

duke of Athol's gardener, a stout and loyal man, volunteered his services to carry a letter to the earl of Crawford, who was supposed to be at Dunkeld with a considerable number of cavalry under his command. A letter was accordingly written by Sir Andrew to the earl, and delivered to the gardener, who was allowed to select a horse for himself among all that were in the castle, and about one o'clock of the morning of the twenty-ninth of March—a soldier being placed at each of the front windows, and the officer with his guard on the platform that had been laid on the joists of the new building, prepared to make a discharge upon any of the rebel sentinels who might attempt to stop him—the great door was unbarricaded, he issued forth with as little noise as possible, and proceeded slowly down to the bottom of the avenue that led into the highway, where he was fired at from both sides of the avenue at the same time. A discharge was instantly made from the platform, and guard in the castle, at the places whence the fire of the rebels had proceeded, and every one hoped that the gardener had made his escape, till next morning, that the horse he rode was seen at the village of Blair, in the hands of a Highlandman, when it was concluded that poor Wilson, for that was the gardener's name, was either killed or made prisoner, and, of course, that no intelligence had reached the earl of Crawford.

There remained now no hope for the garrison but from the chapter of accidents, yet all of them were still confident in the conduct and the good fortune of their commander, of whom they had heard many strange stories, as that he had never in his life been sick, never wounded, nor in any battle that his party had not been victorious. Under these impressions, they were to a man animated with the noblest spirit of perseverance, when, on the first of April, at daybreak, not a Highlandman could be seen, and very soon after, the fair maid at the inn, who had summoned them to surrender, came to congratulate them that lord George Murray, and all his men had gone off in the night, being, as she supposed, terrified for the approach of the king's black horse from Dunkeld. The commandant, however, suspicious of some deceit, kept the garrison shut up till the second of April, when an officer on horseback, informed

him that the earl of Crawford, with some cavalry, was upon the road, and would be with him in an hour. The garrison was immediately drawn out, and the earl arriving, was received by the commandant at the head of it, with this compliment, "My lord, I am glad to see you, but, by all that's good, you have been very dilatory, and we can give you nothing to eat." To which his lordship replied with his usual good humour, "I assure you, Sir Andrew, I made all the haste I possibly could, and I hope that you and the officers will do me the honour to partake with me of such fare as I can give you." His lordship accordingly entertained Sir Andrew and his officers in the summer house of the gardener, with a plentiful dinner, and very good wines, which he had brought along with him, and in the evening returned to Dunkeld.

It was now found out that Wilson the gardener had fallen from his horse, which had started at the rebels' fire, but that he had made his escape on foot, arrived early next day at Dunkeld, and faithfully delivered his message to lord Crawford, who would speedily have relieved the garrison, but that nothing he could say had any effect upon the Hessians, whose terror of the wild mountaineers was such, they would not enter the Pass of Killicranky. More recently discovered documents confirm the fact, that the garrison owed its opportune relief solely to a positive order from Charles, for lord George Murray to repair instantly with all the forces under him to Inverness, where he was apprehensive of being immediately attacked by the duke of Cumberland.* During the whole course of the rebellion, however, greater bravery was not displayed than in the defence of the castle of Blair, and the garrison very properly was honoured with the thanks of his royal highness the duke of Cumberland, shortly after, for their good conduct.

Lord George Murray, in obedience to the orders he had received, sent off his two pieces of artillery from Blair, on the

* *Memoirs of the Rebellion*, p. 157. *Scots Magazine* for 1808, p. 412. Perhaps we ought to have stated that the horse, which, in the hurry at the commencement of the blockade, was shut up in an out-house without either water or provender of any kind, was found on the seventeenth day after his confinement, not only alive, but staggering about upon his legs, and by proper care, in a short time was perfectly recovered.

thirty-first of March; and, on the first of April, at two o'clock in the morning, marched with all his forces for Badenoch. Here he left the Macphersons, it being their own country, and so near to Inverness, that they could be had when they should be wanted; and, in the meantime, they could sow their oat seed, and live upon their own provisions, a matter of no small moment, as they were now become very scarce at Inverness. His own regiment, the Athol brigade, he sent down to Speyside, to join the forces that guarded the fords of the Spey, under the command of the duke of Perth, while he himself went on to Inverness, where he arrived on the third of April. General Stapleton the very same day deserted his works before Fort William, spiked his heavy cannon, carried off his field-pieces, and, with his own men, marched for Inverness, leaving the Highlanders to follow when and how they pleased.*

While Charles had been thus dissipating his strength by a multiplicity of operations ill combined, and even, when successful, tending little to further his interest, the duke of Cumberland was cautiously, step by step, preparing to overwhelm him with the few ill disciplined troops that surrounded him, and by one bold movement to extinguish not only his present hopes, but his future expectations. By the twelfth of the month major-general Bland, with the battalion of the Royal Scots, Burrel, Price, Cholmondeley, and Cobham's dragoons, and Kingston's horse, having the Campbells, and the laird of Grant, with an hundred of his people, scouring the country before him, pushed on to Inverury and Old Meldrum. On the sixteenth he was ordered by the duke to attempt surprising colonel Roy Stuart, who was at Strathbogie, with one thousand foot, and about sixty hussars. Brigadier Mordaunt was at the same time, with four battalions, the Scots Fusiliers, Brag, Monro, and Battereau's, and four pieces of cannon, ordered to march by break of day to Old Meldrum, to sustain general Bland. Bland marched accordingly on the seventeenth towards Strathbogie, and was within sight of it before Roy Stuart had notice of his approach. Roy abandoned Strathbogie the moment he was aware of the enemy

* *Memoirs of the Rebellion*, p. 165, *Note*. *Home's History of the Rebellion*, p. 153.

being so near him, and fled to Fochaber. General Bland, supposing that the rebels would not stop till they got on the other side of the Spey, pushed on a detachment, consisting of seventy Argyleshiremen, and thirty of Kingston's horse, to the village of Keith, which, on the night of the twentieth, was surprised by a strong party of the rebels from Fochaber, and the whole, with the exception of one cornet, and five men of Kingston's with two horse, and one Highlander, who were fortunate enough to escape, either killed or taken prisoners.*

This, as well as other surprises of the kind which we have already narrated, was very alarming to those vain speculators who had imagined that the mere presence of the duke of Cumberland was to overawe the Highlanders, who would, as they said, never attempt to make head against him; but it had no other effect upon the duke himself than to stir him up to greater exertions in forwarding the discipline and good order of his army, which was shortly after cantoned in three divisions, the first, consisting of six battalions, Kingston's horse, and Cobham's dragoons, under the command of lord Albemarle, and major-general Bland, at Strathbogie, within twelve miles of the Spey; the second, consisting of three battalions, with four pieces of cannon, under the command of brigadier Mordaunt, at Old Meldrum, half way between Strathbogie and Aberdeen; and the third, consisting of the six remaining battalions, and Mark Ker's dragoons, at Aberdeen. The advanced parties of the rebels, and the corps at Strathbogie, were now generally within a mile of each other, their scouts and reconnoitring parties frequently exchanged shots, and, for fear of being surprised, the king's troops were kept under arms for several successive nights.†

It was probably from the necessity of circumstances, that while he lay at Aberdeen, the duke found it necessary to check a disposition towards plundering, that, as we have already noticed, early began to show itself among his troops. Some detached parties had actually pillaged the house of Cowbairdie, belonging to James Gordon, who was in the army of Charles; but his lady having, by lord Forbes her father, petitioned the

* Scots Magazine for 1746.

† Ibid.

duke, his royal highness ordered a strict inquiry to be made into the matter, and one hundred guineas to be given the lady for her losses, at the same time declaring, "that there never was any order for taking what belonged to the rebels, other than their cattle and forage, for that the rest was to be left to the law."^{*}

Lieutenant Fairlie, of Fleming's regiment, had been before this broke at Montrose, for disobedience of orders, forfeiture of his word of honour, and prevarication before a court martial, held upon him in consequence of the plundering of the house of Gask, belonging to Mr. Oliphant, who was with the rebels. The plunder of this house was part of the property which we have already taken notice of as being sold at Perth by military auction. Ensign Daniel Hart, late of Sir Robert Munro's regiment, for extorting six guineas from the wife of a merchant in Aberdeen to protect her house and shop, was cashiered, and rendered incapable of ever serving in any capacity under his majesty; and two privates in Fleming's regiment, for plundering several houses, were hanged. There was likewise a spy taken up at Aberdeen and executed, which the rebels retaliated by doing the same by a man for carrying letters to some persons who were considered friendly to the government.

Though a check was thus given to some abuses, there was still allowance for actions abundantly severe. An enterprising old Jacobite, a smuggler, of the name of Ferrier, with that daring which has always characterized men of his profession, supported by a party of Highlanders, took up his quarters in Glenesk, whence he sent parties to the very entrance to Brechin, carried off horses and arms, and between Glenesk and Glenprosen raised for Charles upwards of two hundred men. In consequence of this, his royal highness sent major La Fausille, and three hundred men after Ferrier, with orders to attack all whom he found in arms against the government, and to burn the habitations of those who had left them to follow the enemy. This officer put an immediate stop to the exertions of Ferrier, and executed his orders to the very letter. Making a trip to Edzel, he burnt the episcopal meeting house of Lethnot, and

^{*} Scots Magazine, 1746.

laid two or three of the richer Jacobites under a small contribution. He then made a visit to lord Airly, who was suspected of practising secretly in favour of the rebels, and traversed Glenprosen and Clova, where he indulged in the same, or perhaps greater freedoms. All meeting-houses he destroyed,* and it was with difficulty that he was prevented from burning Glenesk from end to end. Even in Aberdeen, under the very eye of the duke, meeting houses were deliberately taken down, and the wood carefully laid up for heating the ovens employed for the army.†

Having succeeded by the above means in disarming the people of Clova and Glenesk, major Fausille was expected at headquarters in a day or two with five hundred recovered men, and the severity of the weather being greatly abated, there was every probability that the Spey would very soon be fordable. Preparations were accordingly made for immediately marching north. Every thing that could be thought of for ensuring success was carefully provided. Intending to march by the coast road, which is no where far from the sea, transports loaded with provisions, ammunition, artillery, and every thing necessary for the equipment and the comfort of an army, with a convoy of several ships of war, were in waiting to sail inshore along with the army in its progress; and lest Glenbucket's people should take the opportunity of his departure to attack and pillage the city, his royal highness fitted up Gordon's hospital, into which no boys had yet been admitted, as a fort, in which he placed captain Crosby of the Scots Fusiliers, with a force sufficient to protect the town against any sudden incursion of small bodies of the rebels; and being informed, that the Spey was now so low as easily to be forded, he, with the last division of his army, left Aberdeen on the eighth of April, and proceeded to Old Meldrum, where he lay for that night. On the ninth he proceeded by Turreff to Banff, where two spies were apprehended. One of them, notching upon a stick the number of the troops, was for his trouble hung up on a tree; the other, for

* These were either episcopal or popish, for at that time there were no other in the country. The episcopalians in Scotland were at that time to a man nonjurors, and of course Jacobites.

† Scots Magazine for 1746. Ray's History of the Rebellion, p. 298.

want of that convenience, was suspended from the end of a roof-tree that projected from the gable of a house. After resting a day at Banff, his grace proceeded on the eleventh to Cullen, where the different divisions of his army, under Albemarle, Bland, and Mordaunt, were united. Cullen was noted for its loyalty, and had been plundered by the rebels. Here his grace lodged at Cullen house, the residence of the earl of Findlater, and he was accompanied by lord and lady Findlater all the way from Aberdeen to Inverness.*

On the twelfth the whole army moved on for the Spey, on the opposite side of which lord John Drummond, and his brother the duke of Perth, with as many of their troops as they had been able to get forward, were encamped, with a view to dispute the passage. When the royal army appeared, however, they found themselves, as one of their own officers expressed it, "neither able to guard the river, nor fight the enemy after they had passed it."† Accordingly, after firing a few shots which hurt nobody, and setting fire to their encampment, they wheeled about and marched with all speed for Elgin, where they were met by Clanronald and Ardshiel's foot, with Pitsligo's horse, coming up to their assistance. The royal army of course passed the Spey without any difficulty, and with the loss only of one man and four women, who were unfortunately drowned. The water, however, was both rapid and deep, and had the rebels not been infatuated, they would most certainly have chosen to fight the duke of Cumberland at the fords of the Spey, rather than on the plain field of Culloden.

Having thus easily crossed the Spey, the army was encamped for the night between the river and the church of Speymouth, the duke having his headquarters at the minister's manse, which had for some previous days been the headquarters of lord John Drummond, and the common resort of the rebel chiefs that were along with him.‡ Early on the thirteenth the march was continued to Elgin, the rebels still flying before them. The camp for that night was formed on a field a few miles to the west of Elgin, in the parish of Alves, and next day

* Ray's History of the Rebellion, pp. 312—316.

† Lockhart Papers, vol. ii. p. 507.

‡ Statistical Account of Scotland, vol. xiv. pp. 405, 406.

the whole reached Nairn, where, it being the duke's birth-day, they rested on the fifteenth, putting their arms and accoutrements, as they expected immediately to have a battle, in the best order.

“ The astonishment which prevailed at Inverness, when the information came upon us like a clap of thunder, that the duke of Cumberland had forded the river Spey, without experiencing the least opposition,” says the chevalier de Johnstone, “ may be easily conceived.” That they were a little alarmed, we can readily admit; but we see no reason why they should have been astonished. Upon every principle of common reasoning, had they not been blinded by overweening conceit, they could expect nothing else. But the violent on both sides were alike. The zealots on the side of the government, thought the Highlanders and their mock prince would never dare to face the duke of Cumberland, and the zealots for Charles thought the duke of Cumberland would not be rash in attacking the Highlanders. Both were wrong. There was no want of ardour on either side, but, from a variety of causes, the ardour of Charles and his Highlanders had been wrought up into the blindest presumption. They had made one of the most extraordinary marches into the heart of the kingdom, that had ever been recorded in its history—they had fought two battles upon a pretty extensive scale, which had both terminated, as if by miracle, in their favour—they had of late overrun the whole northern part of the country, and attempted almost nothing which they did not accomplish. What they had attempted, however, since leaving Stirling, had been upon a scale so limited, as to be unprofitable to themselves, and did their enemies no other damage, than subjecting them to a little more toil or careful circumspection; and even in doing the little that they did, they had so scattered their strength, that now, in the moment of peril, they were unable to collect it.

Confident in the broadswords of the Highlanders, Charles, though his army was far from having filled up its numbers, no sooner heard of the retreat of his troops from Nairn, and the approach of the duke of Cumberland, than he ordered “ the drums to beat, and the pipes to play to arms;” and mounting his horse, marched out of Inverness at the head of his troops,

his artillery going on before, to Drummossie muir, on the south-east of Culloden house, which he had already selected as a proper field upon which to decide the quarrel. Lord George Murray was left to collect and bring up the troops quartered in the neighbourhood; and orders were given for all those that had not yet joined, to rendezvous at Culloden as they came up. Here Charles took up his station on the thirteenth, himself sleeping at Culloden house, and his men among the furze around it, without any shelter from the inclemency of the weather, and with nothing either to eat or drink, but a very small allowance of biscuit and cold water.*

Charles was now indeed reduced to the most deplorable condition. Many efforts had been made by his friends in France and in Spain, to supply by sea those wants, which, in his present circumstances, they knew it was impossible he could have supplied by land; but such was the vigilance of the British cruisers, that their vessels of late had been invariably intercepted. Sometime before this, as we have already narrated, the rebels had captured, in the harbour of Montrose, the Hazard sloop of war, which they fitted out by the name of the Prince Charles, and being an excellent sailer, she had more than once made for them a successful voyage to France. In the end of March, they were depending daily upon her arrival with supplies of officers, and especially of money, of which they stood in the utmost need; but unfortunately for Charles, she fell in on the Scottish coast, with an English cruiser, the Sheerness, which, after a running fight of some hours, drove her into the bay of Tongue, where she was run on shore near the house of lord Rea. The officers and soldiers that were aboard of her, immediately landed, having along with them not less than twelve or thirteen thousand pounds, all in gold. Lord Rea's militia, and about a hundred men of lord Loudon's regiment, with the captains Alexander Mackay, Sir Henry Munro, young Macleod, and lord Charles Gordon, two subalterns and a surgeon, all left by lord Loudon in Sutherland when he went to Skye, being in the immediate neighbour-

* Memoirs of the Rebellion by the Chevalier de Johnstone, p. 171. Lockhart Papers, vol. ii. pp. 517, 518. Home's History of the Rebellion, p. 157,

hood, attacked and killed or made prisoners the whole detachment, seizing at the same time upon all the money they had brought along with them. This was a fatal blow to Charles, but it was not all. A captain Sinclair had put into the harbour of Stromness, with a vessel loaded with supplies of military stores for Charles, and had also laid an embargo upon twelve vessels in that harbour, which he meant to secure for the rebels. Lord Rea, however, having notice of the circumstance, sent to the captain of the Sheerness, who sailed on the instant to Stromness, relieved all the vessels, and made a prize of Sinclair's ship, with her loading, though Sinclair himself escaped on shore.

Lord Rea having already been threatened by the earl of Cromarty with fire and sword, except he submitted, with his people, to the rebels, and aware that now he would be still more the object of their resentment, went with his family to Edinburgh by sea, as did, at the same time, lord Loudon's men to Aberdeen, where they arrived the day before the duke of Cumberland left it to march for Inverness. The two prizes, the Hazard, and Sinclair's ship, with the prisoners, were sent to Leith Roads, whence the prisoners were carried to Berwick.

The above, at a time so critical, was an irreparable loss to Charles, and has been by some of his followers supposed the cause of all his after misfortunes. His army was already in arrears for pay, and scantily as the magazines were supplied with meal, it had now to be dealt out both for pay and provision; which, while it exhausted his stores most rapidly, offended and alienated the affections of his followers, many of whom were disposed to attribute it to every cause rather than the real one—necessity; and the discipline of his army, which was not at any time exemplary, was in consequence greatly relaxed.*

* “ Our army had got no pay in money for some time past, but meal only, which the men being obliged to sell out, and convert into money, it went but a short way for their other needs, at which the poor creatures grumbled exceedingly, and were suspicious that we, the officers, had detained it from them. To appease them we had obliged ourselves to give them payment of all their arrears two days before the battle, which we not being able to perform, made the fellows refractory, and more negligent of their duty.” The narrator adds to the above a circumstance, that, for the honour of *the poor creatures* as he

Charles was joined at Culloden on the evening of the fourteenth, by Lochiel and his Camerons, and by Keppoch and his Macdonalds on the morning of the fifteenth, when the whole army was drawn up in order of battle upon Drum Mossie muir, about a mile and a half to the south-east of Culloden house, in expectation of being attacked by the duke of Cumberland. In this position they remained till noon, when, no enemy appearing, it was concluded the king's troops were still at Nairn; from which, as it was the birth-day of the duke, the probability was strong they would not move that day. The men were, therefore, shortly after ordered to their quarters, and all the generals being assembled, Charles made them a speech, wherein he proposed to march in the evening, and by taking the duke of Cumberland when he was off his guard, surprise his camp, and annihilate his army. This attack had been planned, according to Home, by lord George Murray, in concert with Anderson, who had so successfully conducted the rebels into the camp of Sir John Cope at Gladsmuir, and he entertained the most sanguine hopes of its success, but it had been left to Charles to propose it, as likely to give it greater weight with the council. The proposal, however, was not relished, though it came from Charles. The duke of Perth, and lord John Drummond, were positively against it; and Lochiel observed, significantly, that the army would be stronger next day by at least fifteen hundred men. Lord George Murray, as might naturally have been expected, most warmly seconded his own motion; and after he had enlarged upon the many advantages that might reasonably be expected to arise from it, particularly as it rendered cannon and cavalry, in which they were greatly deficient, of no avail, it was agreed to as the best thing they could do in present circumstances. The officers accordingly went off to collect their men for this desperate enterprise, and lord George Murray, happy to have carried his point, carried Anderson, who had been so greatly assisting to him, home to dinner, where he expressed himself with the greatest confidence, affirming "that it calls them, ought not to be omitted:—" However, on Tuesday the fifteenth, we lay under our arms all day, expecting the enemy, without any other provisions but a sea biscuit to each man."—Lockhart Papers, vol. ii. p. 508.

gave the Highland army a far better chance than they had either at Gladsmuir or Falkirk.”*

The officers, in the meantime, having gone to their regiments, found that the greater part of their men had gone to Inverness and places adjacent in quest of provisions, and when officers were sent after them, they told those officers “to shoot them if they pleased, but they would not return till they had got some food.” It was now seven o’clock, the army was to march at eight, and the absence of so many men seemed to render the thing impracticable. Charles, however, with characteristic obstinacy, determined to run all hazards, with what men could be assembled at eight o’clock, ordered lord George Murray and the other chiefs to march to the attack, which was to have been executed in the following manner:—“The river Nairn passes within half a mile of Drummossie muir, the field of battle, and runs from that straight east to the town of Nairn, which stands, as Culloden does, on the north side of the river. Lord George Murray intended to march with the army in a body till they were past the house of Kilraick, or Kilravock, (ten miles from Culloden, on the direct road to Nairn,) then to divide his troops, and cross the river with the van, (making about one-third of the army,) which he himself commanded, at a place about two miles distant from Nairn, and march on, having two-thirds of the army on the north side, and one-third on the south-side of the river, till both of them came near the duke’s camp, then to cross the river again with his own division, and attack the king’s army at once from the south and from the west.” The march was to be performed with the most profound silence—the watchword was, “king James the eighth,” and they were forbidden in the attack to make any use of their fire-arms; “but only of sword, dirk, and bayonet, then to cut the tent strings, and pull down the poles, and where they observed a swelling or bulge in the fallen tent, their orders were, there to strike and push vigorously.”†

Their march they commenced accordingly, in two columns,

* Home’s History of the Rebellion, p. 161.

† Home’s History of the Rebellion, pp. 158, 159. Lockhart Papers, vol. ii. pp. 508, 527—529.

the one following the other. At the head of the first was lord George Murray and the Athol brigade, at the head of the second was Charles himself, accompanied and assisted by the duke of Perth. Two officers, and about thirty men of the Macintoshes, through whose country the line of march lay, were distributed in the front, and at intervals along the columns as guides. Directions had also been given for small parties to possess all the roads, that no intelligence of their design might be carried to the enemy. Scarcely had they left Culloden, when the night became exceedingly dark, and before the van had gone a mile, express was following express, with orders for them to march slower, for that the rear was falling far behind. The van did march slower, but the same complaint was repeated, and many orders to the same effect sent. The muir was besides more splashy than had been anticipated, several turns had to be made to avoid houses, and there were two or three defiles that took up a considerable time to pass, so that it was one o'clock in the morning before they reached Kilravock. At this time, lord John Drummond came to the front and assured them, that if they did not stop, or go a great deal slower, the rear would not be able to join; and ere they had well passed the house and wood of that name, and were yet a mile from the place where lord George Murray intended to cross the river, lord John Drummond came up again, and said aloud to lord George, "Why will you go on? There is a gap in the middle half a mile long! The men will not come up."*

They were now at a farm house belonging to the estate of Kilravock, called the Yellow Know, a halt was ordered, and Lochiel came up to the front to consult with lord John Drummond, general Sullivan, lord George Murray, and some gentlemen volunteers who had marched in the front during the night, what was best to be done. It was now past two o'clock in the morning, and from the time they had taken to the previous part of the road, it was apparent that it would be broad daylight before they could reach Nairn; and by the time they could make the disposition for the attack, it was admitted by

* Home's History of the Rebellion, p. 160.

every one of them that the sun would be up. The volunteers, Mr. Hepburn, Mr. Hunter, Mr. Anderson, &c. were all for marching on. The redcoats, they affirmed, having been solemnizing the duke's birthday, would be every one drunk, and in such confusion, that even with the light of the sun they could not withstand Highlanders. Sullivan said he had just come from the prince, who was very desirous the attack should be made, but the officers were all of a different opinion; lord George Murray himself, with whom the plan of a night attack had originated, now declared, that to attack a camp that contained nearly double their number, in broad daylight, and which must be fully prepared to receive them, would be perfect madness. At this instant, John Hay, the secretary, came up and told them the line was joined, but was told the resolution had been already taken to return. He began to argue upon the subject, but being obnoxious to the whole army, from the distress they were in for want of provisions, which they ascribed wholly to his negligence, he having at the time the superintendency of that department, nobody minded him. Both columns now wheeled about, having seen the fires, and heard a drum beating in the duke of Cumberland's camp. There was not now, as in the advance, any occasion for shunning houses; they took the most direct road, marched very quick, and, in little more than an hour, had daylight to conduct them, so that they reached their former quarters at Culloden in much less time than they had taken to leave them. The morning, however, was far advanced, and they were worn out with fatigue, and ready to perish for want of food, their allowance on the previous day having been only a biscuit each man, and even this scanty allowance many of them were not so fortunate as to receive. Numbers of them, hungry as they were, preferred rest in the first instance, and laid themselves down to sleep. Some of them made the best of their way to Inverness in quest of provisions, and others of them killed what cattle and sheep they could find; which, from the length of time the army had lain in the neighbourhood, and the condition it had for weeks been in, it may well be conceived could not be many; but the rest of the one, and the preparations of the other, were speedily interrupted, for, by eight o'clock, a lieutenant in Lochiel's regi-

ment, who had fallen asleep at the Yellow Know; where the halt was made, came to Culloden house, where Charles and his principal officers lodged, and where they had just partaken of a slender repast of bread and whisky, and were lain down to take a little repose, with the information that he had seen the duke of Cumberland with his army in full march towards them.* The few horse in Charles' army had been upon such hard duty for several days and nights previous to this, that they were unfit for patrolling. Fitzjames's and some others too had gone to Inverness, so that they had not the means of ascertaining at once whether it was really the whole army of the duke that was approaching, or only an advanced party; but orders were immediately sent to recall the troops that had gone to Inverness, and to march the regiments that were at hand, to a part of Drummoissie muir, about half a mile to the west of the place where they had been drawn up the day before.

Previously to the determination of making a night attack, on the morning of the fifteenth, general Stapleton, and Ker of Graddon, at the request of lord George Murray, had surveyed the ground to the south of the water of Nairn, which they reported to be "rough and rugged; mossy and soft, so that no horse could be of use there; that the ascent from the water side was steep, and there was but two or three places, in three or four miles, where the horse could cross, the banks being inaccessible." To this ground as a better battle-field for Highlanders, lord George insisted that they should retire, but it was said that it would look like shunning the enemy, being a mile farther from him, and at a greater distance from Inverness, which, owing to the quantity of baggage and ammunition that had been left there, it was resolved not to abandon. Now that the night attack had failed, and they were to be exposed to the whole strength of the enemy in a still worse condition than they were the day before, lord George Murray, who seems to have fully anticipated the ruin upon which the rebel army was rushing, renewed his proposal for passing the river to the south, as affording them not only the chance of much stronger ground,

* Lockhart Papers, vol. ii. pp. 519, 529, 530. Hume's History of England.

but also of joining with Clunie, who was coming from that side, and expected every hour; but the former reasons were still urged against him, and there was now an additional reason, Charles was determined that henceforth nobody should command his army but himself, or rather was now in the hands of his Irish counsellors, by whose advice he had resolved for the present to be guided.*

The night attack was evidently formed upon the plan of those surprisals, to which we have already attended, in Athol, and at the village of Keith, where larger bodies, particularly well acquainted with all the localities of the places against which they were sent, easily mastered smaller parties living under no very strict discipline, and taken altogether by surprise; but the success of these had provided for the certain ruin of this, for ever afterwards there was nothing that was more sedulously guarded against in all the encampments of the royal army than the possibility of its being taken by surprise, and, on this occasion especially, notwithstanding all that has been assumed, and all that has been conjectured concerning it, it does not appear that it was in any danger of being so, for, in the plain to the west, one of the sides where the attack was to have been made, lay the Argyleshiremen under colonel Campbell, afterwards duke of Argyle, directly between the royal camp and the rebels, and beyond the Argyleshiremen, there was a strong party of dragoons that patrolled the whole night between the river Nairn and the sea; besides, the duke of Cumberland had perfect information of their march, and had spies, who, speaking the language, and wearing the garb of the Highlanders, marched in their ranks, and dropped off from time to time, bringing him accurate accounts of their progress; nor, till he learned that the attack could not be made before daylight, does it appear that the troops were permitted to go to bed, for we are told by Home, that when his last messenger returned, the soldiers were ordered to lie down with their arms by them, and take some rest.†

Their rest, however, though it might be sound, could not

* *Memoirs of the Rebellion*, p. 186.

† *History of the Rebellion*, p. 162.

have been of long continuance, for by four o'clock in the morning the whole army was in motion, and before five in full march towards Inverness, formed into five lines of three battalions each. These battalions were headed by major-general Huske on the left, lord Sempill on the right, brigadier Mordaunt in the centre, and flanked by the horse under generals Hawley and Bland, who, at the same time, covered the cannon on the right and left. In this order they marched for about eight miles, when a detachment of the Campbells, who, in the whole of this march had formed the advanced guard, and a party of Kingston's horse, discovered the van of the rebel army moving, as they supposed, towards them, in consequence of which, his royal highness caused the army to form in order of battle, which was done in an instant by the three battalions in the second line, defiling to the left of the three respective battalions in the van, which formed the front line of six battalions, having between each of them two pieces of cannon. At the head of this line was the earl of Albemarle as commander, and on the right wing there were three squadrons of horse, commanded by major-general Bland, and other three on the left, commanded by lord Ancrum. The second line consisted of five battalions placed to face the openings of the front line, with three pieces of cannon placed between the first and second battalions, on the right and left of the same line, in order, that if the enemy either broke through the centre, or outflanked either the right or left of the front, they might conveniently play upon them. As a final reserve to support both, there remained four battalions with Kingston's horse, stationed on the right and left. It was soon, however, discovered that the rebels were not advancing, and the troops fell again into marching order, which continued till they were within a mile of the rebels, when they formed into battle array as before.*

The rebels, after having marched all night with the view of surprising the duke of Cumberland, were now, so little masters were they of the art of war, surprised themselves at mid-day, and it was not without difficulty that their troops could be assembled, according to their own statements, wanting one

* London Magazine for 1746.

thousand, some say one-third of what they had been the night before.* So many of them as could be assembled, however, were disposed in order of battle by Sullivan, who was both adjutant and quartermaster general. The whole was formed into two lines, with a small body of reserve. On the right of the first line, close to some enclosures, approaching to the water of Nairn, was the Athol brigade, commanded by lord George Murray, having on the left, stretching nearly to Culloden house, the clan regiments in the following order—Lochiel's, Appin's, the Frazers, the Macintoshes, the Maclauchlans and Macleans, John Roy Stewart's, the Farquharsons, and on the left of all, Clanronald's, Keppoch's, and Glengary's. The left of this line was under the orders of lord John Drummond. The second line consisted of the following regiments, lord Ogilvie's two battalions, which had the right, lord Lewis Gordon's, also two battalions, Glenbucket's, the duke of Perth's, lord John Drummond's, and the Irish piquets, and it was commanded by general Stapleton. On the right of the first line, and somewhat behind it, was the first troop of horse guards; and on the left of the second line, a troop of Fitzjames's horse, which was all the cavalry they now possessed, with the excep-

* "Upon our return to the muir of Culloden, tho' the P. had given orders for bringing meat and drink for us to the field, which our men not expecting, through their great want of sleep, meat, and drink, many slipt off to take some refreshment in Inverness, Culloden, and the neighbourhood, and others to three and four miles distance, where they had friends and acquaintances; and the said refreshment so lulled them asleep, that, designing only to take one hour's rest or two, they were afterwards surprised and killed in their beds. By this means we wanted in the action at least one-third of our best men, and of those who did engage, many had hurried back from Inverness, &c. upon the alarm of the enemy's approach, both gentlemen and others, as I did myself, having only taken one drink of ale to supply all my need."—Lockhart Papers, vol. ii. p. 509. "Exhausted with hunger, and worn out with the excessive fatigue of the three last nights, as soon as we reached Culloden, I turned off as fast as I could to Inverness, where, eager to recruit my strength by a little sleep, I tore off my clothes, half asleep all the while; but when I had already one leg in the bed, and was on the point of stretching myself between the sheets, what was my surprise to hear the drum beat to arms, and the trumpets of the piquet of Fitzjames sounding the call to boot and saddle, which struck me like a clap of thunder."—Memoirs of the Rebellion by the chevalier de Johnstone, p. 176.

tion of a very few appropriated to wait upon Charles, and the remains of Pitsligo's and Strathallan's horse, which, with the foot guards, originally horse grenadiers, but whose horses had been given to the men of Fitzjames's regiment—who landed in Scotland with saddles and accoutrements, but without horses—formed a small body of reserve under the command of lord Kilmarnock. Charles himself occupied a small eminence behind the right of the second line, with lord Balmarino's troop of horse guards, and colonel Shea's troop of Fitzjames's horse.*

Such was the disposition of the rebel forces, when the king's army had a full view of them about twelve o'clock, being then distant from them about two miles and a half. The disposition made by the duke of Cumberland we have already described generally. His first line consisted of six regiments, standing from right to left, in the following order. The royal, Chol-

* Home's History of the Rebellion, pp. 164, 165. The bravery of Charles has been often insisted on, and is the burden of many a song; but like many another burden, seems to have been entirely fictitious. Pennant, who was upon the spot at no very distant period after the action, and was careful to inquire into every thing respecting the battle, and the conduct of Charles, speaking of Culloden house, says:—"The young adventurer lodged here the evening preceding the battle; distracted with the aversion of the common men to discipline, and the dissensions among his officers, even when they were at the brink of destruction, he seemed incapable of acting, could be scarcely persuaded to mount his horse, never came into the action, as might have been expected from a prince who had his last stake to play, but fled ingloriously to the old traitor Lovat, who, I was told, did execrate him to the person who informed him that he was approaching, as a fugitive, foreseeing his own ruin as the consequence." "Regard to impartiality," the same writer adds in a note, "obliges me to give the following account, very recently communicated to me, relating to the station of the chief on this important day, and that by an eye-witness. The Scotch army was drawn up in a single line; behind, at about five hundred paces distance was a *corps de reserve*, with which was the adventurer, a place of seeming security, where he issued his orders. His usual dress was that of the Highlands, but this day he appeared in a brown coat, with a loose great coat over it, and an ordinary hat, such as countrymen wear, on his head; remote as this place was from the spot where the trifling action was, a servant of his was killed by an accidental shot. It is well known how short the conflict was, and the moment he saw his right wing give way, he fled with the utmost precipitation, and without a single attendant."—Tour in Scotland, vol. i. pp. 258, 259.

mondeley's, Price's, the Scots Fusiliers, Monro's, and Burrel's. The second line consisted of the same number of regiments, Howard's, Fleming's, Ligonier's, Blyth's, Sempill's, and Wolfe's. The reserve consisted of Blackeney's, Battereau's, and Pulteney's. Kingston's light horse, and a squadron of Cobham's dragoons, were placed on the right of the first line. Ker's dragoons, and two squadrons of Cobham's on the left. On approaching the rebel army, the ground in front of the king's army became so soft, that the horses had to be taken from the cannon; but the soldiers, slinging their muskets, dragged them on till they came to firmer ground, when they were disposed as we have already stated, two and two between the battalions, and, under the direction of colonel Belford, directed against the rebels, who had been firing from their batteries for some time, but their cannon were ill served, and so badly directed, that during a canonade of an hour's continuance, only one shot took effect.* On the other hand, the royal artillery did fearful execution among the Highlandmen; and by the duke's order, was plied with unremitting vigour, in order to draw them down from the height to make the attack, the duke, in the meantime, altering and improving the disposition of his troops, so as to ensure their total ruin if they did. Wolfe's regiment was moved from its place, where the men were standing up to the ankles in water, and brought to the left of the first line, where they wheeled to the right, and formed so as to fire upon the flank of the rebels, if they should advance to the attack. Two regiments were also moved up from the reserve, so that Pulteney's stood on the right of the royal in the first line, and Battereau's on the right of Howard's in the second. When these movements were completed, the duke took his station in front of Howard's, between the first and second line.

While these manœuvres were going on, colonel Belford observing Charles with his small body of horse, ordered two pieces of cannon to be pointed at them; and several discharges were made, which broke ground among the horses' legs. "Charles had his face bespattered with dirt, and one of his servants, who

* "One man in Blyth's regiment had his leg carried off by a cannon ball. Not another shot took effect."—Home's History of the Rebellion, p. 166.

stood behind the squadron with a led horse in his hand, was killed." The patience of the Highlanders was by this time completely exhausted, and they were clamorous to be led on to the attack. Charles had already sent a message to lord George Murray to attack, but a cannon ball arrested his messenger; another was sent to Lochiel, whose regiment stood next to the Athol brigade, desiring that he would represent to lord George the necessity of attacking instantly, and, at the very moment Lochiel and lord George were consulting together, the Macintoshes broke out from the centre of the front line, and advanced upon the Scots Fusiliers, who stood opposite to them. But the heavy fire of that regiment, together with the field-pieces, made the Macintoshes incline to the right, where all the regiments, with one to their left, were coming down to the charge. These regiments advanced under a heavy fire of cannon, which were now loaded with grape shot, and musketry in their front, besides a most destructive flank fire from Wolfe's regiment, notwithstanding which, they broke through Burrel's and Monro's regiments, sword in hand. Sempill's, who were immediately behind Burrel's, had advanced during the attack fifty or sixty paces, and their front rank kneeling and presenting, waited till Burrel's men had got out of the way, when the clans, who had broke through the line, having got close together, advanced furiously upon them, and received a terrible fire, that brought many of them to the ground, and made the most of those who did not fall, turn back. A few, desperate and furious, still attempted to break into Sempill's, and fell lifeless at the end of the soldiers' bayonets. In advancing to this desperate charge, the Athol brigade lost thirty-two officers, and was so terribly shattered, that it stopped short, and never attempted to close with the king's troops. . . .

The rebel regiments on the left, the Farquharsons, and the Macdonalds, came so near the line, as to draw upon themselves the fire of the regiments that were opposite to them, which they returned by a general discharge, and the Macdonalds had drawn their swords for the attack, but the heavy fire against which they had to advance, and the sight of their broken and flying companions, with the chagrin they felt on account of

their being placed on the left of the line, determined them to save themselves by flight, and they also went off.*

The total overthrow of the rebel army was now certain, but the king's troops were not permitted as yet to commence the pursuit. The regiments of foot, from right to left, were ordered to keep their ground, and dress their ranks. The horse on the right of the king's army, were almost in the act of falling in on the Macdonalds, sword in hand, when the Irish piquets came down from their place in the second line, and fired upon the dragoons, who made a halt, and the Macdonalds fell back into that line. The two lines joined, made still a considerable body of men; but their spirits were broken, and their condition altogether irretrievable. During the rash attack they had made, and which had ended so fatally, two companies of the Argyleshire men, and one company of lord Loudon's regiment, pulled down the park wall that flanked their right, and entering, with Bland and the dragoons he commanded, put one hundred men to the sword, who had been placed in the park to defend the walls. They then proceeded to the west wall of the park, which they also threw down, in consequence of which, the dragoons had free access into the plain muir, and were already fully formed close on the rear of the rebels, and ready to fall upon them the moment the victorious infantry in their front should advance. No sooner did the duke begin to move, than the confusion that already prevailed among the rebels was completed, and they began to separate in all directions. The principal part of them, however, divided into two large bodies, one of which being mostly western Highlanders, took the road to Badenoch, and the hills of their own country—the other, consisting of the Frazers, lord John Drummond's regiment, the Irish piquets, &c. took the road for Inverness. The dragoons had already, from the right and left of the duke's army, met each other charging across the field of battle, and now did terrible execution upon the poor weary and dispirited stragglers, with whose mangled carcasses the fields and the roads were strewed till within a mile of Inverness.

* Lockhart Papers, vol. ii. p. 510. Home's History of the Rebellion, pp. 168, 169.

Charles, when he saw his army begin to give way, which, till he saw it, he seems to have thought an event that could never happen, talked, it is said, of advancing to rally them; but being told by Sir Thomas Sheridan that it was impossible, and Sullivan taking his horse by the bridle, and turning him about, he made his escape, attended by a few horse, and crossing the water of Nairn by the ford of Falie, about three miles from the field of battle, rested for some time in a cottage on the south side of the Nairn. Here he dismissed the horse, with most of his attendants, desiring them to go to Ruthven, where they would receive further orders. Having thus bid adieu to royalty, he, with a few of his particular favourites, among whom were Sir Thomas Sheridan, Sullivan, O'Niel, and Hay, set out for Frazer's of Gortuleg, where he arrived about sunset, and where he met for the first and last time with old Lovat, who, though on being informed of his approach as a fugitive he poured forth against him the bitterest execrations, as having brought inevitable ruin upon the house of Lovat, received him with great respect, kneeling and kissing his hands. Here Charles took supper, and two hours' sleep; then, after changing his clothes, set out for Invergarrie, which he made the first stage of a pilgrimage, that was long continued, perilous in the extreme, and which nothing but the sympathy of some who were his enemies, joined to the extraordinary fidelity of his friends, could have saved from a fatal termination.*

Marching on to Inverness, the duke of Cumberland was met by a drummer with a message from general Stapleton offering to surrender, and asking quarter. He was answered by a pencil note, assuring him of fair quarter and honourable treatment. Captain Campbell of Sempill's regiment, with a company of grenadiers, was then sent forward to take possession of Inverness, and the French and the Irish laid down their arms, and surrendered themselves prisoners of war.†

This victory, important and decisive as it proved to be, was gained with very little loss on the part of his majesty's troops. The killed and wounded did not much exceed three hundred,

* Lockhart Papers, vol. ii. pp. 521, 531, 539.

† Home's History of the Rebellion, p. 173.

officers included. The only person of distinction that was among the slain was lord Robert Ker, second son to the marquis of Lothian, captain of grenadiers in Burrel's regiment, who at the head of his men received the foremost man in the attack upon his spontoon, and, being rather in advance, before he could recover his weapon, was pierced with many wounds, and killed on the spot.* The number of killed on the part of the rebels has never been, perhaps could not be, ascertained. Newspapers and magazines published at that time made it very great, some of them three thousand. It has been stated so low as one thousand, which we cannot but think considerably beneath the truth. The Maclauchlins, the Macleans, the Macintoshes, the Frazers, the Stuarts, and the Camerons, being the division of the rebels that made the attack, had the most of their chiefs killed, and almost every man in each regiment who occupied the front rank. Maclauchlan, colonel of the Maclauchlans and the Macleans—for they made but one regiment—was killed by a cannon ball, and Maclean of Drimnin, who succeeded to the command, having brought off his shattered regiment, and missing two out of three sons that were along with him, turned back to look for them, and was killed by a random shot. The colonel of the Macintosh regiment, Macgillavray of Drumnaglass, was killed, with the lieutenant-colonel, the major, and all the officers except three. Young Inveralachie, Charles Frazer, who in the absence of the master of Lovat, commanded the Frazers, was among the slain. The master himself was bringing up a re-enforcement of three hundred men, with which he met the flying army half way between Inverness and Culloden. The Stuarts of Appin suffered severely both in officers and men; but Ardshiel, who commanded them, had the good fortune to escape. Macdonald of Keppoch, when the Macdonalds went off without attempting to charge, advanced with his drawn sword in one hand, and his pistol in the other; but scarcely had he left his men, when he received a shot, and fell. A friend kindly followed him, and conjured him not to throw away his life, but to retreat with his friends, and save himself for a more fortunate attempt.

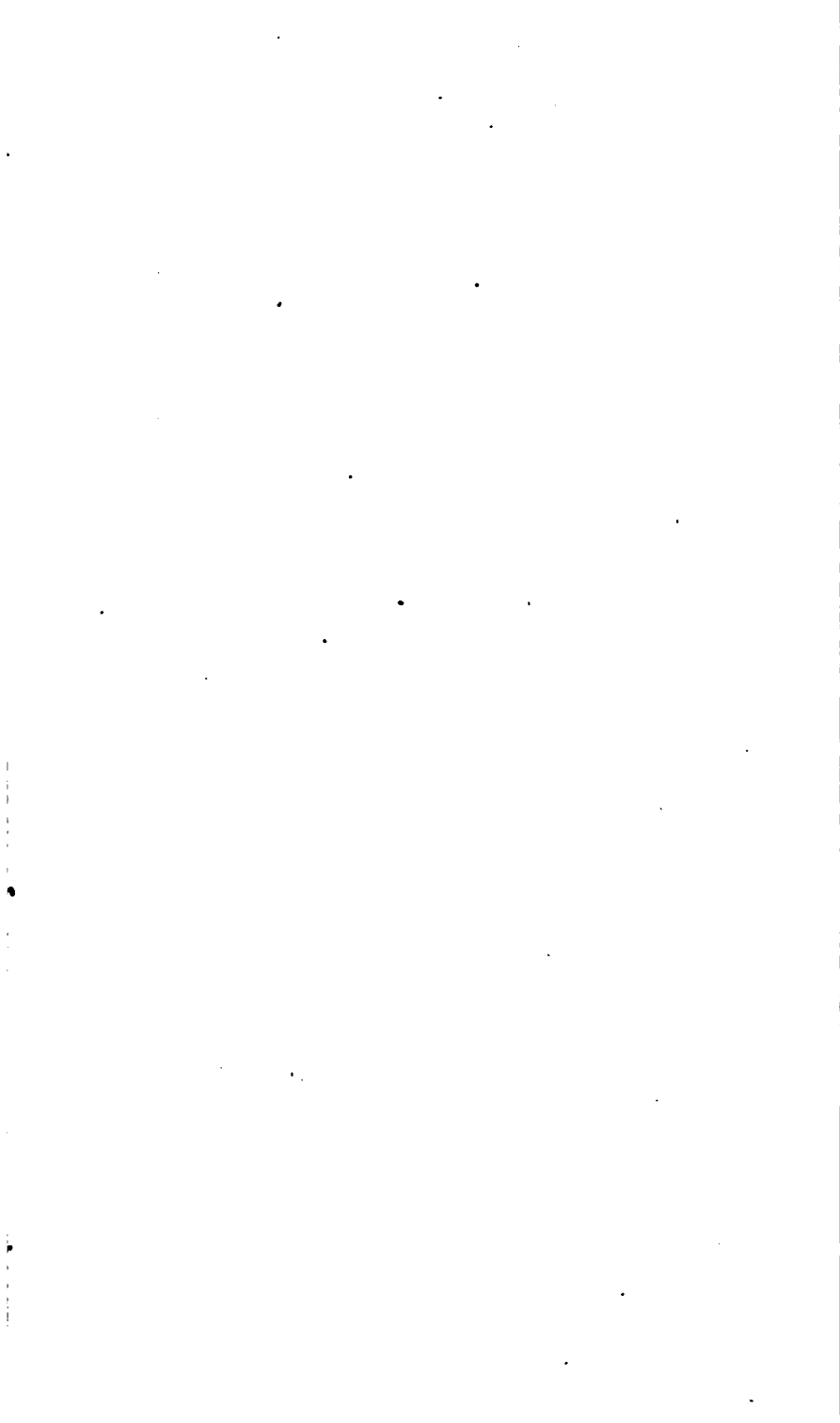
* Scots Magazine for 1746.



JOHN CAMPBELL,
DUKE OF ARGYLL & GREENWICH.

Engraved by W. Page.

From a Painting by Aikman



Keppoch bade him take care of himself, and rushing on, wounded as he was, received another shot, and fell to rise no more. Lochiel too, as he was drawing his sword, fell wounded in both ankles, and was raised up by his two brothers, between whom he was advancing, and was carried off in their arms. Many of the wounded were thus carried off, and hundreds were afterwards found dead of their wounds, and of cold and hunger, among the hills, at the distance of twelve, fourteen, and even twenty miles from the field of battle.*

There was no lack of bravery on either side, but ignorance and presumption rendered it to the rebels utterly unavailing, and it was exercised on the part of the regular army with a savage ferocity, that detracted greatly from its merit. Owing partly to their own misconduct, and partly (on one occasion, Falkirk, wholly) to that of their commanders, the royal troops had twice, by this same assemblage of rude barbarians, been most shamefully beaten; and now that they had a commander to lead them on, and in whose conduct they could confide, their revenge seems to have known no bounds. The faint and famished stragglers were everywhere cut down without mercy, and many who had no hand in the rebellion, but who had been drawn from Inverness, and places adjacent, by curiosity to see the battle, fell in the indiscriminating slaughter that ensued. Even in the battle there appears to have been manifested a savage thirst for blood, which honourable warfare certainly does not require, and which, to use the expressive language of the prophet, showed that the "brotherly covenant was forgotten." "In the midst of the action," says an officer writing to his friend, "the officer that led on the Camerons called to me to take quarter, which I refused, and bade the scoundrel advance. He did so, and fired at me, but providentially missed his mark. I then shot him dead, and took his pistol and dirk, which were extremely neat. No one that attacked us escaped alive, for we gave no quarter, nor would accept of any." "The muir," says another, "was covered with blood, and our men, what with killing the enemy, dabbling their feet in the blood, and splashing it about one another,

* Scots Magazine for 1746.

looked like so many butchers." These, it is true, are but the expression of individual feelings, and it would be unfair to suppose that these feelings pervaded the whole army; yet specimens of the same tendency could be produced so numerous, as to leave little room for doubting but that they were deeply indulged, and extensively predominant.

Every thing belonging to the rebels fell into the hands of the conquerors—baggage, military stores, in short their magazines of every kind; but for the most part they were very poorly furnished. A number of prisoners, among whom was lord Kilmarnock, were brought in to Inverness, where four of the principal rebel ladies, Ogilvie, Gordon, Kinloch, and Macintosh, were also made prisoners. Fully as sanguine as their husbands, these ladies after tea were preparing for a ball in the evening, in celebration of the victory, which, no one among the rebels seems to have doubted would be easily gained over the duke of Cumberland. The inhabitants of Inverness were also busily employed in baking oat meal bannocks to regale them on their triumphant return, which also of course fell into hands for which they were not intended.*

In the circumstances in which Charles was now placed, the battle of Culloden, though it had been less disastrous than it really was, must have been decisive of his fate, and of this he seems to have been perfectly aware, though his followers, if we may credit one of themselves, "were yet far from being cured of the infatuation which had so long and so deeply affected them." Some hours after the battle, we are told by the chevalier de Johnstone, "lord Elcho found him in a cabin beside the river Nairn, surrounded by Irish, and without a single Scotsman near him, in a state of complete dejection, without the least hope of being able to re-establish his affairs, having given himself altogether up to the pernicious counsels of Sheridan and the other Irish, who governed him as they pleased, and abandoned every other project but that of escaping to France as soon as possible. Lord Elcho," the chevalier continues, "represented to him that this check was nothing, and exerted himself to the utmost to persuade him to think only of rallying his army,

* Scots Magazine for 1746. Ray's History of the Rebellion, pp. 339, 340.

putting himself at its head, and trying once more the fortune of war, as the disaster might be easily repaired; but he was insensible to all that his lordship could suggest, and utterly disregarded his advice.”*

It had been the opinion of all, or nearly all the chiefs previous to the battle, that the circumstances of their army were such as laid them under the necessity either of fighting immediately, or dispersing. Hence, the night attack was preposterously persevered in, when the chance of its success was almost nothing; and hence the advice of lord George Murray for postponing the battle, by taking up new and stronger ground, was also rejected—and what could induce them, now that they had received a complete overthrow, to think of still successfully making head against an army that had suffered nothing, had abundance of all necessary supplies at hand, and could speedily be increased to double its present amount, is a question, the answer to which is by no means obvious. The main body of their army, indeed, which took the road to Ruthven, and was not pursued, had, a few miles from the field of battle, met with Clunie and his Macphersons, to the number of five hundred coming up, and a few of the morning stragglers, it is probable, had also joined them; but Inverness, with all that they had provided for carrying on the war, was in the hands of the duke of Cumberland. The road between Inverness and Ruthven, we are told too, “is very narrow, and full of tremendously high precipices, where there are several passes which a hundred men could defend against ten thousand, by merely rolling down rocks from the summit of the mountains;” but except these stones had been bread, or some portion of these mountains oat-meal, how were they to keep possession of them?

It had, however, been agitated among the chiefs, several weeks previous to the battle of Culloden, whether it might not be advisable to lay up magazines in the Highlands, from which they might be supplied, or upon which they might retire in case of a defeat; but the proposal was not acceded to, nor could it have been productive of any great benefit

* *Memoirs of the Rebellion, 1745, by the Chevalier de Johnstone, p. 198.*

though it had. Their finances, indeed, forbade any such project; and confined to the Highlands, though every man, woman, and child there had engaged in it, the rebellion itself was perfectly innocuous. It was the grand error of Charles and his advisers, once having got clear of the Highlands, to allow themselves again to be cooped up in its sterile fastnesses, where they could neither find subsistence, nor the means of procuring it. The battle of Culloden should have been fought on the field of Falkirk, at least, besouth the Tay, or it ought to have been avoided. The loss of the battle at Culloden was their entire ruin, but a victory would have advantaged them nothing—their opponents having it in their power to repair the loss, before they could have taken the benefit of their own success. In short, the idea of subverting the throne of Britain by a warfare carried on in the Highlands, was as absurd as to attempt the life of a giant, by scratching at his little toe, or that of a lion, by discomposing a few hairs on the tip of his tail, but it was an idea congenial to the feelings, and magnificent in the eyes of these barbaric chieftains, each of whom was a despot in his own little country, and regarded by his slaves as superior to all the monarchs in the universe, and it seems highly to have soothed the wounded pride, and re-assured the drooping spirits of the rebels assembled at Ruthven, who as yet did not anticipate the cowardly retreat of their prince, and were unacquainted with the full extent of their loss. They were still calculating upon that part of their army, acting in Sutherlandshire under the earl of Cromartie, as being entire, and in condition to afford them an immediate re-enforcement, whereas, on the day previous to the battle of Culloden, it was totally defeated by the earl of Sutherland's people, on the water of Golspie, the earl of Cromartie himself being surprised and taken prisoner at Dunrobin, the seat of the earl of Sutherland. Lord Macleod his son, a number of officers, one hundred and fifty private men, and about one thousand two hundred pounds in cash, were taken along with him. Lord Sutherland's people did not lose so much as a man in this affair, and had but a very few wounded. The prisoners were brought to the royal camp at Inverness, on board of the Hound sloop

of war, which had been sent round by the duke for that purpose.

Unaware of the disaster that had befallen the earl of Cromarty, and determined to prosecute a mountain campaign, Lord George Murray proceeded to secure the neighbouring passes, and sent off a messenger to inform Charles that his army was assembled at Ruthven; that the Highlanders were full of animation and ardour, and eager to be led against the enemy; that the Grants, and other Highland clans who had till then remained neuter, were disposed to declare themselves in his favour, seeing the inevitable destruction of their country from the proximity of the victorious army of the duke of Cumberland; that all the clans who had received leave of absence, would assemble there in the course of a few days; and that, instead of five or six thousand men, the whole of the number present at the battle of Culloden, he might count upon eight or nine thousand men at least. Charles had by this time nearly reached the western coast, whence he expected to get away to France, and to a message, which, it was probably supposed, would be highly gratifying to him, returned for answer, "Let every man seek his safety in the best way he can;" an answer which extinguished in his deluded followers the last gleam of hope, and delivered them over to the agonies of unmitigated despair. They had frequently been worn out by toil, and latterly exhausted by famine, but so long as Charles continued to afford them his countenance, such was their enthusiasm, and such their devotion to what they accounted majesty, that they bore all with patience, and never doubted that in the end they would be triumphant. When they found, however, that he himself had abandoned his own cause as hopeless, their hearts utterly failed them, they gave vent to their anguish in wild howlings, and most doleful lamentations; and they separated under the fearful apprehension of the dungeon and the scaffold, or the more immediate, and not less to be deplored horrors of military execution.*

While the rebels were thus overwhelmed in despair, the news

* *Memoirs of the Rebellion, 1745, by the Chevalier de Johnstone, p. 203.*

of the victory at Culloden were carried over the whole kingdom, and everywhere received with a feeling of joy, that, contrasted with the magnitude of the action, was certainly extravagant, but which, by the singularly happy results thereof, has been fully justified. In the cities of London and Edinburgh, it was celebrated by ringing of bells, bonfires, and illuminations; and addresses were presented to his majesty by both houses of parliament, by the lord mayor, aldermen, and common council of the city of London, and by the General Assembly of the church of Scotland, &c. &c. That from the house of commons, while it breathes the most devoted loyalty to the throne, and a due tribute to the merits of the duke of Cumberland, is remarkable for the rational and clear view which it takes of the consequences to the nation at large:—"As we think the defeat given to the rebels an event which must immediately produce the most desirable effects upon the whole state of our affairs at home and abroad, so we doubt not, but in its remoter consequences it will tend to the future peace and tranquillity of your majesty's reign—to the firm establishment of your majesty and your royal posterity upon the throne of these kingdoms—and to the effectual security of the religion, laws, and liberties of Great Britain.

"Thus, by a fate not uncommon to the devices of rebels and traitors, those wicked attempts which have been levelled against the protestant succession, and the happy constitution of this country, will, under the blessing of providence, prove in the result the most effectual means of confirming both.

"We beg leave to assure your majesty, that your faithful commons, truly sensible of the great benefits this nation has received from the eminent courage and conduct of his royal highness the duke upon this occasion, are desirous, and will be ready to give his royal highness such distinguishing marks of public gratitude, as shall be most agreeable to your majesty, and are justly due to his superior merit."*

Addresses of thanks were also voted to his grace the duke of Cumberland by both houses of parliament; and they gave a still more substantial proof of the high sense they entertained of his merit, by voting him an additional revenue of twenty-five

* London Magazine for 1746.

thousand pounds a year, which raised his yearly income from fifteen to forty thousand pounds sterling. His grace had also addresses of thanks from almost every city and body corporate in the kingdom; and, among others, the following from the General Assembly of the church of Scotland, which met this year at Edinburgh in the month of May;—"Sir, That the General Assembly of the church of Scotland has met at this time in a state of peace and security, exceeding our greatest hopes, is, under God, owing to his majesty's wisdom and goodness in sending your royal highness, and to your generous resolution in coming to be the deliverer of this church and nation; we might, therefore, be justly charged with ingratitude to the glorious instrument of divine providence, if we neglected to pay your royal highness our most humble and thankful acknowledgments for that happiness we enjoy.

"As for some months past, the many fatigues you endured, and the alarming dangers you ran in pursuing an ungrateful and rebellious crew, filled our minds with the greatest pain—so the complete victory now obtained over them by the bravery of your royal father's troops, led on by your wise conduct, and animated by your heroic example, gives us the highest joy.

"Every loyal subject, every sincere lover of the religion, laws, and liberty of his country, is ready to express his just gratitude to your royal highness, by whom these inestimable blessings are preserved to us. The church of Scotland are under peculiar obligations to offer their most thankful acknowledgments to Almighty God, who has raised you up to be the brave defender of your royal father's throne, the happy restorer of our peace, and, at this time, guardian of all our sacred and civil interests.

"The many instances of your favourable regard to the ministers of the church of Scotland, and of that entire confidence you have placed in us, ever since this part of Great Britain has been blessed with your presence, must for ever excite us to give the strongest proofs that we have not been unworthy of that countenance you have been pleased to give us, and of that trust with which you have honoured us.

"That the Lord of Hosts, who has hitherto covered your head in bloody battles, may still guard your precious life amidst

those dangers to which you may be yet exposed, in leading armies against the common invaders of the liberties of Europe, and crown you with the same glorious success over our enemies abroad, which you have obtained over traitors at home—that your illustrious name, so dear to us, may be transmitted still with greater glory to latest posterity, and that you may share, at last, in that eternal happiness and glory, bestowed by the divine mercy in a distinguished manner upon those who have been eminent examples of virtue, and the happy instruments of communicating public blessings to mankind, are and shall be the prayers of, may it please, &c. &c. Signed in our name, presence, and at our appointment, Jo. Lumsden, moderator.”*

The answer of his grace to this letter, certainly does justice to the loyalty and zeal of the church of Scotland:—“ My lord commissioner,—The meeting of the venerable the General Assembly of the church of Scotland, furnishes an occasion I have wished for, of expressing publicly the just sense I have of the very steady and laudable conduct of the clergy of that church, through the whole course of this most wicked, unnatural, and unprovoked rebellion.

“ I owe it in justice to them to testify, that upon all occasions I have received from them professions of the most inviolable attachment to his majesty’s person and government, of the warmest zeal for the religion and liberties of their country, and of the firmest persuasion that these blessings could not be preserved to the nation but by the support of his majesty’s throne, and of the succession in his royal family; and in support of the sincerity of their professions, I have always found them ready and forward to act, in their several stations, in all such affairs as they could be useful in, though often to their own great hazard—and of this I have not been wanting to give due notice from time to time to his majesty.

“ I must desire your grace to assure the venerable the General Assembly of the very sincere acknowledgment I shall always feel, for the particular marks of good-will and affection I have received every where from the clergy; of my regard and esteem for this body, and of my good wishes for all its members.

* Printed Acts of Assembly, 1746.

“ I heartily wish success to the good work you are upon for the service of his majesty, and the true benefit of his faithful subjects. I am, my lord commissioner, your grace’s most affectionate friend, William.”*

His majesty also wrote a letter to the duke with his own hand, in which he ordered his royal highness to acquaint the officers and soldiers of his army, that their courage and behaviour at the last battle had given him entire satisfaction; and that they might depend upon the continuance of his royal favour, countenance, and protection. The lord mayor of London, and others, the commissioners and trustees on the money collected for what was called the veteran’s scheme,† at the same time remitted to his royal highness five thousand pounds, to be given to the soldiers as a reward for their bravery at the battle of Culloden. His royal highness wrote to his lordship in return, stating that he had received the money, and that he intended to distribute it, four thousand to the common men, and one thousand to the non-commissioned officers, provided it should be agreeable to the committee. The committee, however, requested him to dispose of the whole five thousand according to their original intention; promising to raise another thousand for the non-commissioned officers.‡ This act of generosity was highly honourable to the city of London, and forms a very heavy aggravation of the conduct of the army, which was on many occasions afterwards, of the most disgraceful character.

In the meantime his grace displayed great ability, and exerted himself to the astonishment and utter ruin of the rebels, leaving them no time to put any of their feeble determinations into execution. Brigadier-general Mordaunt was despatched on the eighteenth, two days after the battle, into the Frazers’ country, and a party of troops along with him, who carried off every thing to be found on the estate of lord Lovat, cattle, sheep, meal, &c. &c. which was immediately distributed for the use of the army. Lovat had now time to reflect on the wise

* Printed Acts of Assembly, 1746.

† *Vide* p. 253.

‡ Two hundred and sixty-three pounds sterling, were also transmitted by this committee, to be distributed among the widows and children of such of the Glasgow regiment of volunteers as fell in the battle of Falkirk.—*Scots Magazine* for 1747.

policy recommended to him by his friend the lord president, and from a neighbouring mountain, whither he had fled with a number of retainers, had the mortification to witness the complete devastation of his estates, and to see, without being able to do any thing to prevent it, his house of Castledownie laid in ashes.*

The Grants, whom the rebel chiefs represented in their memorial from Ruthven as being ready to join the pretender, came to the assistance of the duke to the number of six hundred men, on the twenty-first of April, and were sent to occupy the country of the Macintoshes, where the lord Balmerino fell into their hands, and was delivered up to the duke at Inverness. The lord president arrived at Inverness on the twenty-fifth from the Island of Skye, where, during the ascendancy of Charles in the north, he had been obliged to take refuge, along with lord Loudon, the laird of Macleod, and Sir Alexander Macdonald, the latter of whom, previous to the battle of Culloden, had raised his clan for the support of the government, to the number of seventeen hundred men, all of whom, with the addition of eight hundred men from Argyle, under general Campbell, were now poured upon those places that had been the sources of the rebellion. Ross, Cromarty, Caithness, and Sutherlandshires, were completely under the power of the loyal Munroes, the Mackays, and the Sutherlands, and the passages towards the Isles were secured by lord Fortrose, and his brave Mackenzies. The eastern coast was guarded by Cobham and Mark Ker's dragoons, under lord Ancrum; and the militia guarded the passes of the Forth from the Frew downwards, so that the poor fugitives were apprehended in such numbers, that prisons could with difficulty be found to contain them.

A number of Highland officers, among whom were Graham of Duntroon, among the rebels called lord Dundee, lord Ogilvy, Fletcher of Benschie, Hunter of Burnside, David Fotheringham, late governor of Dundee, David Graham, merchant Dundee, his son Alexander, Sandilands younger of Bourdeaux merchant, Thomas Blair of Dundee, Alexander Blair, writer, Edinburgh,

* Life of Simon, lord Lovat, p. 285.

and Henry Patullo, Charles' muster-master, got on board a ship belonging to James Wemyss of the North Ferry, Dundee, as she rode off the lights of the Tay, and putting to sea, landed at Bergen in Norway. They were at first detained by the government of Bergen for the want of passes, but he shortly after allowed them to escape, and they made their way into France. James Stirling of Keir, Hugh, his son, and Stirling of Craigharnet, were apprehended in a Dutch ship in the Clyde, and committed to the castle of Dunbarton. The two last, however, made their escape a few days after. The marquis of Tullibardine, or, as he was styled by the rebels, the duke of Athol, took to the west, in hopes of escaping to the Island of Mull; but his horse failed him, and he was reduced to such distress, that he gave himself up, on the twenty-seventh of April, to a justice of the peace, Buchanan of Drummakill, was put on board the Eltham man-of-war, carried to London, and committed to the Tower, where he died on the ninth of July that same year.* The duke of Perth had the good fortune to escape in a French ship from the coast of Moidart; but his constitution was entirely broken by the fatigue and privations he had undergone, and he died on the passage.† The lords Kilmarnock, Cromarty, and Balmerino, with many others of less note, were sent to London in the early part of May, and committed to the Tower for high treason. Murray of Taymount, brother to the earl of Dunmore, surrendered himself about the same time to a justice of the peace in the county of Angus, and was sent to London, where a true bill was found against him for treason at St. Margaret's Hill. When brought before the court he pled guilty, and on the twentieth of December following received his majesty's free pardon.‡ Sir James Kinloch, his brother, and brother-in-law, colonel Ker of Gradon, and many other rebels of consequence, were apprehended in different places, before the month of April had well expired; but many of the principal Highland chieftains, as well as Charles himself, secure in the affection of their dependants, and the numerous

* Scots Magazine for 1746. Scottish Peerage, vol. i. p. 150.

† Scottish Peerage, vol. ii. p. 365. ‡ Ibid. vol. i. p. 484.

fastnesses among their native mountains, still bade defiance to the efforts of their keenest pursuers.

His grace the duke of Cumberland, in his progress northwards, had issued a proclamation at Montrose, requiring all persons who were, or had been in the rebellion, to deliver up their arms, their names, and places of abode, to the nearest magistrate or minister of the church of Scotland, and submit themselves entirely to the king's mercy, assuring all such as should in "any ways fail in the most exact obedience to this order, that they would be pursued with the utmost severity as rebels and traitors, by due course of law, or military execution, as the case might require." This was so far well. Perhaps there was severity enough in some of the requirements even of this proclamation, and the constituting the ministers of the church of Scotland receivers of arms and informations, showed that his grace and his advisers were ignorant of the constitution of the Scottish church, and had little regard for the respectability of its ministers; but he emitted another on the first of May, after many of the rebels had been apprehended, and when it was pretty evident that their power was entirely broken—which had, indeed, by foolish fear been magnified greatly beyond what it really was, in which the requirements were still more harsh, and more directly insulting to the ministers of the gospel. "It having been represented to me," says his grace, "that numbers of the rebels, after the overthrow they met with in the late battle at Culloden, have dispersed themselves over the country, and retired to their respective homes, or to the near neighbourhood of their former habitations, where they presumptuously and insolently remain in possession of those arms with which they attempted the overthrow of the government, without having given the least marks of quitting the traiterous disposition by which they have hitherto been guided. I have therefore thought fit, in virtue of a plenary power and authority granted to me by his majesty, to publish these presents, strictly requiring, in his majesty's name, all sheriffs, stewards, and their deputies, magistrates of boroughs, justices of the peace, and other officers of the law whatsoever, to make diligent search for all persons of what rank soever who have been at any time in arms against

his majesty in the course of this wicked and unnatural rebellion, and who have not delivered up their arms, and submitted to his majesty's mercy, in terms of the proclamation dated at Montrose, the twenty-fourth day of February, 1745-6, and, when found, to seize and secure all sorts of arms that may be found in their possession, or any way belonging to them, or that have belonged to them. And in order to the more effectual execution of this service, the officers of the law are to take informations from the ministers of the gospel of the established church of Scotland touching the behaviour of the inhabitants within their respective parishes, and of the present haunts and places of abode of such rebels as may be lurking in their several neighbourhoods. And the said ministers of the gospel, and all others his majesty's dutiful subjects, who shall have any knowledge of the places of abode or lurking places of such rebels, and of the places where such arms may be lodged, are hereby required to give information to the officers of the law aforesaid. And to prevent the obstruction of the execution of this order by force, it is hereby further ordered, that all officers of the law who shall receive informations, and issue warrants as aforesaid, and who may apprehend resistance, do apply to the officers of his majesty's forces that shall be next to the place where the search is to be made. And all officers of his majesty's forces to whom such application shall be made, are strictly required and commanded to give the necessary assistance for the execution of such warrants, as they shall answer the contrary at their highest peril.

“ And whereas several evil disposed persons may have harboured, concealed, or entertained rebels, who have been in arms against his majesty, all the magistrates and officers of the law above mentioned are hereby required to make a strict enquiry after all such persons as may have, since the battle of Culloden, harboured, concealed, or entertained any rebels who have been in arms against his majesty, knowing them to be such, and with the assistance aforesaid, to seize and commit them to prison in order to trial. Given at Inverness, the first day of May, 1746.”*

* Scots Magazine for 1746.

Nothing could be more impolitic than thus to attempt degrading the ministers of the established church into spies and informers. If there were any classes of men in Scotland without exception loyal, it was the ministers of the establishment, and their brethren of the secession, and they had both been influential in a very high degree in inspiring loyalty among their people; but it would have become them ill indeed, at the same time that it would have annihilated their influence, to have attempted unsheathing the sword of justice, or to point out particularly its victims. The assembly, however, not at all, we imagine, to the honour of the spiritual function, on their meeting at Edinburgh a few weeks after, ordered this proclamation to be read from all the pulpits of the different parishes in Scotland, and some days after the following letter was sent by Alexander Lind, sheriff-depute of Mid Lothian, to every minister in the county:—"Rev. Sir, As you must be best acquainted with those in your parish who have not been concerned in this wicked and unnatural rebellion, that none of them, from any unjust suspicions, may suffer any hardships, I am ordered, by the lord justice clerk, to desire you will make up lists of all those in your parish who have not been concerned in this rebellion, either by carrying arms or otherwise, including in that list not only residents of all ranks, but likewise heritors and life-renters, though not residing.

"Send under my cover two several copies of such lists sealed up, one directed to the lord justice clerk, another to the honourable Sir Everard Fawkenner, secretary to his royal highness the duke of Cumberland. As you have lists of your parish, an answer will be expected in a few days. I am, &c. &c. Alexander Lind."*

Much to their credit, the ministers of Mid Lothian, one and all, declined this invidious piece of service, though they were at the trouble of excusing themselves individually to sheriff Lind, the lord justice clerk, and Sir Everard Fawkenner, the latter of whom attempted to reason them into compliance. "The end of all government," he informs them, "is peace, and the security of the whole; and among the various means that must be tried

for compassing it, and raising order out of this confusion—which only can be done effectually by the blessing of the Almighty upon our poor endeavours—this was thought of, and it is not doubted, but, separately or collectively, every one of you will be pleased to put his sickle into so fair a harvest, and be useful where he can towards procuring so great a blessing on those so immediately committed to his care.”*

Among a body of men so numerous as the established clergy of Scotland, it would have been strange indeed if there had not been some found willing to debase themselves by becoming the minions of authority;† but Sir Everard Fawkeney was allowed to reap his “so fair harvest” in the way he pleased for the ministers of Edinburgh, not one of whom could be prevailed upon to stoop to it.

The Hessians, about the beginning of May, left Perth, in order to be embarked for Flanders; and on the nineteenth, brigadier-general Mordaunt, with the Royal, Pulteney, and Sempill’s battalions, with six pieces of cannon, arrived at Perth from Inverness. They marched by the hill road, and met with nobody to oppose them. Every nonjurant meeting-house they came to they burned to ashes. At Blair, in Athol, several

* Scots Magazine for 1746.

† The chevalier de Johnstone mentions the minister of a certain parish, a “sanguinary wretch, who made a practice of scouring the muir every day, with a pistol concealed under his great coat, which he instantly presented to the breasts of any of our unfortunate gentlemen whom he fell in with, in order to take them prisoners. This iniquitous interpreter of the Word of God, considered it as a holy undertaking to bring his fellow creatures to the scaffold; and he was the death of several whom he had thus taken by surprise.” Johnstone goes on to inform his readers, that this same minister “put himself at the head of an armed body of his parishioners, true disciples of such a pastor, and proceeded with them to the castle of Abachie, in order to take Mr. Gordon prisoner. He had only time to save himself by jumping out of a window in his shirt.” “Mr. Gordon,” in return, “a few days afterwards, assembled a dozen of his vassals, set out with them in the night, and contrived to get entrance into the house of this fanatical minister. Having found him in bed, they immediately performed the operation upon him, which Abelard formerly underwent—assuring him, at the same time, that if he repeated his nightly excursions with his parishioners, they would pay him a second visit, which would cost him his life.”—*Memoirs of the Rebellion, &c.* pp. 245, 246.

people belonging to the parish of Kinglassie, who had been seduced or compelled by the rebels to join them, waited on the general, delivered up their arms to him, and submitted themselves to the king's mercy. They were conducted by their minister, Mr. William Blair, John Macpherson of Benachar, and Donald Macpherson of Cullinbre, and were all allowed to return to their homes in peace.* This was not only mercy and sound policy, but it was in some degree justice, many of these poor people having been made the tools of rebellion very much against their inclinations. The system of misrule, indeed, under which that wretched portion of the empire had been allowed so long to groan, did not permit the poor inhabitants in general to have any choice in such matters, their lives and fortunes being entirely in the hands of their superiors, many of whom were not yet reclaimed from their dreams of wild and lawless independency.

Two French ships, in the latter end of April, having touched at Arisaig, and landed some military stores, provisions, &c. with upwards of forty thousand pounds sterling in cash, some of the more forward of the rebels, Lovat, Lochiel, Clunie, Glengary, Dr. Cameron, Roy Stuart, Barisdale, secretary Murray, &c. agreed to assemble their followers,† and, taking possession of

* Scots Magazine for 1746.

† Trial of Lord Lovat, &c. &c. The following resolutions were agreed to upon this occasion:—"We subscribers, heads of clans, commanders and leaders, do hereby unanimously agree, and solemnly promise, forthwith, with the utmost expedition, to raise in arms, for the interest of his royal highness, Charles, prince of Wales, and in defence of our country, all the able-bodied men that all, and every one of us, can command or raise within our respective interests or properties.

"Item, We hereby promise and agree, that the following clans, viz. Lochiel, Glengary, Clanronald, Stuarts of Appin, Keppoch, Barisdale, Mackinnon, and Macleods, shall rendezvous on Thursday next, the fifteenth instant, at Achnacary, in the Braes of Lochaber.

"Item, We also propose and agree, that neither of us shall disclose or reveal to any of our men, or inferior officers, the resolutions of our present meeting, or the day and place appointed for our rendezvous, till such time as our respective corps are assembled.

"Item, To facilitate the junction of our army with all possible speed, it is agreed, that the Frazers of Aird, and others our friends on the north side of the river Ness, shall join the people of Glenmoriston and Glengary, and that

the many strong positions which in every few miles of their country were readily to be found, defy the royal army, and force from its leaders terms of accommodation more advantageous than they could possibly expect from the mere mercy or

the Frazers of Stratherrick, the Macintoshes and Macphersons, shall assemble and meet at the most convenient place in Badenoch, on Thursday the fifteenth current.

“ Item, The Macgregors, Menzies, and Glenlyon’s people, shall march to Rannoch, and join the Rannoch and Athol men, and be ready to receive intelligence and orders to meet the main body in the Braes of Marr, or any other place that shall be more convenient.

“ Item, It is agreed, that major-general Gordon of Glenbucket, and colonel Roy Stuart, shall advertise lord Lewis Gordon, lord Ogilvie, lord Pitsligo, the Farquharsons, and the other principal gentlemen of the north, with the resolutions taken at this meeting, and that they shall agree among themselves as to a place of rendezvous, so as to be able to join the army when it shall be judged most proper.

“ Item, That Cluny, Macpherson, and colonel Roy Stuart, shall advertise the principal gentlemen of the Macintoshes of our resolutions.

“ Item, It is agreed, that there shall be only one captain, lieutenant, and ensign, two serjeants, and two corporals, to every company of forty men, and an adjutant, quarter-master, and surgeon, to every regiment.

“ Item, That every corps shall appoint an officer, and a number of men, not exceeding twelve, to remain in the country, with ample powers to punish deserters, who, immediately at their first appearance in the country, shall be hanged, unless they can produce a pass or furlough from a general officer.

“ Lastly, We further promise and engage ourselves, each to the other, to stand and abide by these our resolutions for the interest of his royal highness and the good of our country, which we apprehend to be inseparable, to the last drop of our blood, and never to lay down our arms, or make a separate peace, without the general consent of the whole. And in case any one engaged in this association shall make separate terms for himself, he shall be looked upon as a traitor to his prince, and treated by us as an enemy.”

The name of lord George Murray is not found at this association, the members of which, we suppose, were also the framers of the following articles of impeachment against him:—

“ I. That he, (lord George Murray,) was suspected and accused of malpractices by the public, and particularly by John Murray, secretary; and that it was destructive to the prince’s interest, that he (lord George Murray) should, under such accusations, and after the interception of the letters at Derby, solicit and retain command, to the great discontent of the prince’s friends and forces, especially after he (lord George) had lost the confidence of the people.

“ II. That he did not pay proper deference to wise counsels, and that he acted presumptuously and arrogantly, without calling councils of war.

the generosity of the government. Lovat had sixty Louis-d'ors of the French money given him as ten days' pay for the men he was to bring out under the command of the master, and probably all the others shared in proportion.* The plan, how-

" III. That he wantonly urged the battle of Culloden, though he well knew that a considerable number of as good men as any the prince has, were absent.

" IV. That in the night expedition, he acted contrary to the plan set down, in filing off in the dark, without giving advice to the second line, by which the prince's scheme was disconcerted, and the lives of his men endangered.

" V. That the prince's army was by his (lord George's) means, kept under arms, marching and countermarching without rest, and half starved for want of meat and drink, for forty-eight hours before the battle; and therefore could not exert their wonted strength, on which, with their usual way of fighting, much depended.

" VI. That just before the battle, the lord Elcho asked him what he thought of the event? To which he answered, ' We are now putting an end to a bad affair.'

" VII. That in forming the order of the battle, he suddenly altered the plan by which they were drawn up the day before, commanding the Macdonalds to the left, the Camerons to the right; well knowing, that the Macdonalds, who, time immemorial, held the right, would not fight under such an indignity.

" VIII. That he wilfully marched the front line out of an advantageous situation, and refused to level some huts and walls, which apparently would prove an obstruction to the second line, in supporting the first; or ruinous, in case of a necessity for a retreat; although he (lord George) was solicited to remove those evils.

" IX. That by his neglect, the artillery was ill served and ill executed.

" X. That when the right of the Highlanders had broke the left of the crown army, he neglected his duty in not having them duly supported, whereby they were attacked in flank by the crown horse.

" XI. That he had industriously put himself in the advance posts, upon the night expedition; and on the day of battle; and had, without any necessity, put himself in posts of danger, and therewith prevented the execution of all designs.

" XII. That it is evident that the duke of Cumberland, who commanded the crown army, would never draw off his horse from his right, and weaken that wing where the Highland force was most powerful against him, if he had not had intelligence that such an alteration would be suddenly made in the Highland army, as would create such disgust, as to render their left wing quite inactive and useless; which intelligence could not be given by any but

* Trial of lord Lovat, &c.

ever, was too late in being concerted; part of the royal army under general Bland, had already occupied the ruins of Fort Augustus, and were in possession of all the principal passes, and Lochiel, with three hundred of his Camerons, attempting to fulfil his engagement, narrowly escaped falling into the hands of the king's troops, who already occupied the ground where he expected to meet his confederates, and had effectually prevented their co-operation. There remained, of course, no alternatives but either to submit, or to skulk among the mountains, where they were in daily danger of being starved, and often in hourly danger of being shot or apprehended. Submission was therefore at last very generally resorted to, and his excellency, major-general Campbell, received the submission and the arms of the Glencoe and the Appin people, some time shortly after. Unfortunately, however, for the poor Highlanders, at this time they were well acquainted with submissions of this sort, and had always contrived to get over them easily, having but seldom parted with any arms that were worth the keeping, nor did they now intend to act with greater honesty. Accordingly some of them made promises, which from day to day they failed to fulfil; some of them brought in old and useless arms, while they carefully secreted such as were serviceable at home, till the patience of his grace the duke of Cumberland, was exhausted, and he resolved to bring them to obedience by all, or by any means in his power. The consequences of this determination to the poor people were indeed very terrible. His grace proceeded to Fort Augustus on the twenty-third of May, and parties were sent out in all directions, who burnt down the huts of the poor defenceless inhabitants, and drove off their cattle, leaving them to starve on the mountains, whither they generally fled, or among the smoking ruins of their former habitations. The house of

by him (lord George Murray) as he had made such sudden alterations-without the approbation of a council of war, and without the previous knowledge, consent, or advice of the prince, or any of the prince's friends or general officers.

"All which actings and doings, manifestly demonstrate that the said lord George Murray hath not faithfully discharged the trust and confidence reposed in him; and that he has been an enemy to the prince, and to the good people of the British dominions, by swerving from his duty and allegiance."

Lochiel at Achnacary was in this manner burned to the ground, as was Kinloch Moidart's, Keppoch's, Glengary's, Clunie's, and Glengyle's, a fate which the ridiculous ambition of their proprietors richly merited, and which could give very little pain to any honest man. The sheep, the goats, and the cattle too, of these would-be royal counsellors, were very properly made subservient to the comfortable subsistence of the troops which they had made to undergo so much unnecessary fatigue; but, unfortunately, these troops being allowed to help themselves, acted with very little discretion, and failed to discriminate between their friends and their enemies, seizing upon all that came within their grasp, with a rapacity that did but little honour to the defenders of a free and legitimate government. To such a length was the system carried, that the discipline of the army was considerably relaxed, every soldier having possessed himself of a little horse, either at his own hand, or by purchase—for they sold so low as from eighteenpence to two shillings and sixpence—rode about in the style of a gentleman, to the neglect of his duty, till at length it was found necessary to issue an order for them to be sold or shot. They were of course bought up by the Yorkshire jockies in vast quantities, and at very low prices; yet the returns, which were all divided among the soldiers, amounted to a great sum of money, and many of the soldiers actually found themselves rich from the large shares they held in this dishonourable traffic.*

In the meantime, the poor inhabitants were suffering the

* Ray's History of the Rebellion, pp. 372, 373.—“Whilst our army stayed here,” says a medical officer that accompanied the duke of Cumberland, writing from Inverness, “we had near twenty thousand head of cattle brought in, such as oxen, sheep, and goats, taken from the rebels; (whose houses we also frequently plundered and burnt,) by parties sent out for them, and in search of the pretender; so that great numbers of our men grew rich by their shares in the spoil, which was bought by the lump by jockeys and farmers, from Yorkshire and the south of Scotland, and the money was divided among the men, and few common soldiers were without horses. Gold was also as common among great numbers, as is commonly copper at other times; but firing was a great scarcity, and much wanted, the weather being so cold and wet, that we were obliged to pull down many houses for firing, (being made of peat and sticks as before mentioned,) and frequently part of that we lived in, to supply us when the others were burnt up.”—Journal of a Medical Officer, &c. &c. Printed at London, 1746. P. 156.

very extremes of human misery. Many of them, indeed, were found upon the hills literally starved to death; and from the measures adopted by the royal army, and the manner in which they were executed, the innocent were of necessity made to suffer as well as the guilty. "As the most of this parish is burnt to ashes," says an honest clergyman of the church of Scotland, writing to his friends in Edinburgh, "and all the cattle belonging to the rebels carried off by his majesty's forces, there is no such thing as money or pennyworth to be got in this desolate place. I beg, therefore, you will advise me what steps I shall take to recover my stipend. My family is now much increased by the wives and children of those in the rebellion, in my parish, crowding about me for a mouthful of bread to keep them from starving, which no good Christian can refuse, notwithstanding the villany of their husbands and fathers, to deprive us of our religion, liberty, and bread." Similar accounts might be quoted sufficient to fill a volume, and it must be admitted, that a great many of these evils were the natural and necessary results of the rebellion, and will never in any case be entirely prevented in such circumstances; but we must not disguise the truth to ourselves, nor attempt to hide it from others—that many of them also arose from an interference on the part of the military, that might be constitutional, but if it was so, only in consequence of some parts of the constitution, that, having been less frequently brought into view, had not yet had the benefit of those more liberal interpretations which had been given to it generally in latter times. They took it upon them, even in very small parties, and without the sanction of higher officers, to seize upon and bring to public auction the effects of rebels, without waiting for any thing like legal conviction, to the ruin of lawful creditors; and this even in countries that were perfectly tranquil, all the regular courts of justice in full operation, and nothing to prevent the laws from being put in due execution. Nor were these abuses practised in remote districts only, and in the Highlands, where the regular administration of justice had never been known, but even almost within the confines of the Scottish metropolis, and during the session of the supreme court. The Sabbath, too, out of contempt for the religious feelings of the Scottish people, was fre-

quently selected by the unprincipled soldiers, as the day for executing these acts of oppression and robbery, by which the hatred of the people was wound up to a pitch, that had the pretender known how to take advantage of it, might have been highly dangerous to the government, even after all the advantages it had obtained.*

This kind of misrule had also a tendency to lengthen out its own duration, as it increased disaffection in the country, and kept many from surrendering themselves and their arms, who would most gladly have done it, had they not despaired of mercy; and a few feeble parties, straggling among the hills from pure necessity, were made use of as urgent reasons for carrying on the system with increased severity. The mountains were scoured again and again in every direction, and though they afforded but a paltry amount of rebels, as long as they had cattle, sheep, or goats upon them, the end was in some degree answered, and the toil seems to have been considered not altogether in vain. There were, at the same time, individuals, by this perseverance, taken up, whose lives were loudly demanded by the justice of the nation, as well as by the sufferings they had so foolishly brought upon their simple and helpless dependants; among the most conspicuous of these were Simon Frazer lord Lovat, and Murray of Broughton, the pretender's secretary. Murray, from the time the project for re-assembling the clans in the month of May miscarried, had been wandering chiefly with Lochiel and his brother-in-law, Mr. Kennedy; sleeping on hill sides through the day, and wandering in quest of new hiding places through the night—oftentimes having little to eat, and nothing save the mountain stream to drink. Worn out with toil, and unable to endure longer a life of so much misery, he crossed over the hills by the way of Monteith, and without any attendant, came to Kilbucho, where he dined, on the twenty-seventh of June, and in the evening went to the house of his brother-in-law, Mr. Hunter of Polmood. One of the herds belonging to Kilbucho having dropped the secret, a sergeant of St. George's dragoons, with a party of seven men, who was stationed in Broughton house, the seat of

* Scots Magazine for 1746.

Mr. Murray, was sent to Polmood in search of him. He was found in his bed, and carried direct to Edinburgh castle, whence he was afterwards sent to the Tower of London.* Lovat had taken refuge on an island in Loch Morar, a fresh water lake, twelve miles in length, and somewhat more than a mile from the sea coast. Here his lordship was living very comfortably with Macdonald of Morar, the proprietor of the island, and his brother, bishop Hugh Macdonald, the pope's apostolic vicar of Scotland, Dr. Macdonald, and others of that powerful family, who had been engaged in the rebellion, all of whom thought themselves perfectly secure, having carried all the boats upon the lake to the island, and having no suspicion of others being brought from the sea overland, for the purpose of disturbing their repose. Some Argyleshire men, however, under the command of Campbell of Achachrosan, and Campbell of Cruachan, in their search through Moidart and Arisaig, where they found upwards of forty barrels of gunpowder, with a great quantity of arms, got also some hints respecting Lovat, and marching direct from Arisaig to Morar, a distance of more than nine miles, over rocks and mountains the most difficult and dangerous that can well be conceived, many of the passes being so narrow that only one man could clamber through in a line, were upon the spot before their design could be so much as suspected. When they appeared on the shores of the lake opposite to the island, so secure were the rebels, that they immediately began to fire upon them, giving them the most opprobrious epithets. Their exultation, however, was of short continuance, for captain Ferguson of the Furnace, accompanied by several tenders, having sailed round the coast till directly opposite, the men-of-war's boats were carried overland, which, as we have said, is little more than a mile. On perceiving this, the Macdonalds took to their boats, rowing up the lake with such expedition, that though the Argyleshire men pursued along the banks on both sides, and the king's boats, so soon as they could be launched into the lake, rowed after them with the greatest activity, the whole made their escape, the forementioned Dr. Macdonald excepted,

* Scots Magazine for 1746.

who was apprehended and brought back to the island, along with the boats belonging to the rebels.

Upon landing, the sailors entered the bishop's house and chapel, which they gutted in an instant, decorating themselves with the holy vestments, and destroying every thing which they could not turn in some way to their own account. In the meantime, from the known lameness of Lovat, and the speed which the rebels had displayed in their flight, it was concluded that he could not be along with them, and therefore was still upon the island. Search was accordingly made with unwearied perseverance for three days, at the end of which the unhappy Lovat was found by Campbell of Achachrosan, lying on two feather beds, not far from the side of the lake. His lordship was in no condition to make any effectual resistance, and he surrendered himself at once, delivering up his arms and his strong box at the same time. He was immediately put aboard one of the boats, and rowed down the lake, from the end of which the sailors made a run, as they called it, with him, to the sea side, the piper all the while playing Lovat's march, with which his lordship pretended to be pleased.* He was carried aboard captain Ferguson's ship the *Furnace*, and brought round to Fort William, where he had again recourse to his pen, and wrote to the duke of Cumberland the following gasconading letter, dated June the twelfth:—"Sir, This letter is most humbly addressed to your royal highness, by the very unfortunate Simon lord Frazer of Lovat. I durst not presume to solicit or petition your royal highness for any favour, if it was not well known to the best people in this country attached to the government, such as the lord president, &c. and by those that frequented the court at that time, that I did more essential service to your royal family, in suppressing the rebellion in 1715, with the hazard of my life, and the loss of my only brother, than any of my rank in Scotland, for which I had then letters of thanks from my royal master, by the hands of the earl of Stanhope, then secretary of state, in which his majesty strongly promised to give me such

* Appendix to the *Scots Magazine*, 1747.

marks of his favour, as would oblige all the country to be faithful to him. Therefore the gracious king was as good as his word to me, for as soon as I arrived at court, and was introduced to the king by the late duke of Argyle, I came by degrees to be as great a favourite as any Scotsman about the court, and I often carried your royal highness in my arms, in the parks of Kensington and Hampton Court, to hold you up to your royal grandfather, that he might embrace you, for he was very fond of you and of the young princesses. Now, Sir, all that I have to say in my present circumstances is, that your royal highness will be pleased to extend your goodness towards me, in a gracious and compassionate manner, in my present deplorable situation, and if I have the honour to kiss your royal highness' hand, I will easily demonstrate to you, that I can do more service to the king and government, than the destroying an hundred such old and very infirm men like me, past seventy, without the least use of my hands, legs, or knees,* can be of advantage in any shape to the government.

“Your royal father, our present sovereign, was very kind to me in the year 1715. I presented on my knees to his majesty, a petition in favour of the laird of Macintosh, to obtain a protection for him, which he most graciously granted me, and he gave it to Charles Cathcart, then groom of the bed-chamber, and ordered him to deliver it into my hands, that I might give it to the laird of Macintosh. This was but one testimony of several marks of goodness his majesty was pleased to bestow on me while the king was at Hanover, and I hope I shall feel the same compassionate blood runs in your royal highness' veins.

“Major-general Campbell told me that he had the honour to acquaint your royal highness that he was sending me to Fort William, and that he begged of your royal highness to order a litter to be made for me, to carry me to Fort Augustus, as I am in such a condition that I am not able to stand, walk, or ride. I am, with the utmost submission, and most profound respect, your royal highness' most obedient and most faithful humble servant, Lovat.”†

* This enumeration shows that the old fox was hard run, and had great difficulty in making out a case.

† Life of Simon Fraser, lord Lovat, &c.

A litter having been provided for his lordship, he was conveyed to Fort Augustus on the fifteenth of June, where he had the mortification to be hissed by all the followers of the army as he went along. On the fifteenth of July, he was sent under a strong guard to Stirling, where he was received by a detachment of lord Mark Ker's dragoons, under the command of major Gardiner. From Stirling, after resting a few days, he was sent to Edinburgh. From Edinburgh he was sent to Berwick, and thence, on the twenty-fifth, to London; the journey being divided into twenty stages, one only of which he was required to travel in a day. In this easy way he reached Barnet on the fourteenth of August; and on the fifteenth, the Friday before the execution of the lords Kilmarnock and Balmerino, arrived in town. On his way to the Tower, he passed the scaffold that was erected for the execution of these noblemen, which he looked at with apparent emotion, exclaiming, "Ah! is it come to this." Being come to the Tower, he was received by general Williamson, and conducted to the apartment prepared for him, where he had abundance of leisure to contemplate the ruin he had brought upon himself and his house, by indulging a most insatiable avarice, and a ridiculous ambition. He, however, took possession of his dreary habitation, with a fortitude and an equanimity of mind worthy of a better man and a better cause. He had indeed seen, before leaving Scotland, what was worse to him in his own apprehension than death, his darling estate transferred into the hands of an agent for the government, by the following order from the duke of Cumberland, in comparison with which, we have no doubt all his after trials were trifling.

"Whereas, Simon lord Fraser has been guilty of various treasonable practices and acts of rebellion against his majesty and his government, and is for the same detained in custody, in order to abide the trial of his peers; and as he is possesst of several lands now in culture, many of which have now quantities of grain and corns growing on them, and likewise of the rights of salmon fishing in various waters, to the end, therefore, that the corn and grain growing upon the lands, and the fish, may be preserved for the use of his majesty's forces in these parts, till his peers shall have given sentence upon these matters

he stands charged with, it is fitting and convenient that a proper person should be appointed to take care of the same. A very good report having been made of the sufficiency and ability of you, James Fraser of Castle Leathers, you are hereby authorized and empowered to take into your charge the several lands belonging, or lately belonging to lord Lovat, hereafter named: that is to say, the lands of Castle Downie, Wester Downie, Cullrinie, Funallan, Tomack, Lovat, Muniack, Bruiack, and the fishings of the water; and you shall carefully preserve the grass growing thereon for the use of the troops in the winter, and the corn of the several sorts you shall cause to be gathered for the use of the troops, likewise keeping an account thereof, nor shall you suffer any cattle to graze on the ground, but such as there may be orders for from the commanding officers of his majesty's forces at Inverness, and such fish as may be taken in the waters, you shall send to be divided among the king's troops at Inverness, except such quantities as it may be necessary to sell to raise money for defraying the expense of fishing. And you are hereby likewise empowered to appoint such other persons as you may think fit in the performance of this service. And for your so doing, this shall be, to all intents and purposes, your full and sufficient warrant and authority. Headquarters, at Fort Augustus, the fourth day of July, 1746. By his royal highness the duke's command. Signed, Everard Fawkenor.—To James Fraser of Castle Leathers, Esq.* This was a full and a fair sentence of condemnation, which Lovat's guilty conscience assured him could not be reversed; and his whole conduct after this we take to have been that of a man sensible that he was under a sentence of death, but who, having lost that which to him was dearer than life, was little solicitous about its continuance, further than that he might close it, at least in the estimation of mankind, with decency.

The strength of the rebels being now not only broken, but the most of their leaders either driven from the country, or made prisoners, there was nothing of consequence left for the army to do. A small party of rebels marauding might be now and then met with, but they were invariably defeated, and not unfre-

* Culloden Papers, p. 266.

quently two or three of the party hanged, by way of admonition to their companions. "We hang or shoot," says an officer, writing from Fort Augustus, "every one that is known to conceal the pretender, burn their houses, and take away their cattle, of which we have got eight thousand head within these few days past, so that if some of your Northumberland graziers were here, they would make their fortune." Fort Augustus had been blown up but a few months before by the rebels, and when it was taken possession of by the royal army, a number of their fellow-soldiers were found drowned in the cisterns; but all these things were now forgotten, and it was become the very centre of gayety and fashion. "Amidst the fatigues and hardships the soldiers are obliged to suffer," a writer of that day has recorded, "the brave duke makes all about him as jovial as the place will possibly admit of."* And in a letter from Fort Augustus of the seventeenth of June, we have the following particulars:—"Last Wednesday the duke gave two prizes to the soldiers to run heats for, on barebacked gallows taken from the rebels, when eight started for the first, and ten for the second prize. These gallows are little larger than a good tup, and there was excellent sport. Yesterday his royal highness gave the soldiers' wives a fine Holland smock to be run for on these gallows, also barebacked, and riding with their limbs on each side the horse like men. Eight started, and there were three of the finest heats ever seen. The prize was won with great difficulty by one of the Old Buff's ladies. In the evening, general Hawley, and colonel Howard, ran a match for twenty

* "Of the sick," says Ray, "there were but too great plenty, after the excessive fatiguing marches, inclement weather, and now environed with bleak barren mountains, covered with snow, and streams of water rolling down them, the sight of which is sufficient to give a well bred dog the vapours, and occasioned numbers to fall sick daily, as well in their minds as bodies. This might have been still worse, had it not been for the duke's presence, which afforded pleasure to every soldier, as often as they beheld him; and to divert their melancholy, his royal highness and officers frequently gave money to be run for by Highland horses, sometimes without saddles or bridles, both men and women riding. Here were also many foot races performed by both sexes, which afforded many droll scenes. It was necessary to entertain life in this manner, otherwise the people were in danger of being affected with hypochondriacal melancholy."—*History of the Rebellion*, pp. 371, 372.

guineas, on two of the above shelties, which general Hawley won by about five inches."*

While the Hawleys and the Howards were thus amusing themselves at Fort Augustus, a party of Dejean's regiment seized, at Achnacary, the mansion of Lochiel, the gardener and the cook, of whom they demanded information how and where the most valuable effects of their master were concealed. The gardener being inflexible, they set drums, with rods of discipline, to the back of the cook, by which means the secret was at last elicited, and the best part of Lochiel's valuables fell into their hands.

The inhabitants of Edinburgh had also, in the beginning of June, a fine exhibition of rebel standards, fourteen pair of which were sent all the way from Culloden to the castle of Edinburgh, where they were carried to the Cross in great triumph; that of the pretender being borne by the hangman, and the others by chimney sweepers. The hangman, with his subalterns the sweeps, was escorted by a detachment of Lee's regiment; and the sheriffs, heralds, pursuivants, trumpets, city constables, &c. followed, escorted by the city guard. When the procession had reached the Cross, where a fire had been previously prepared, proclamation was made by the eldest herald, that the colours belonging to the rebels were ordered by the duke to be burned by the hands of the hangman. The pretender's own standard was first given to the flame, and the remainder in succession, one by one, the name of the owner being proclaimed by a herald, with sound of trumpet, as each was put into the fire. The same childish pageant was repeated with a fifteenth standard at Edinburgh, and with a sixteenth at Glasgow, on the twenty-fifth of the month.

By the middle of June, the greater part of the rebel districts had submitted; and about eight thousand firelocks, seven thousand broadswords, including those taken at Culloden, with a great many targets, had been collected from among the Highlanders, and the rigour by which these had been obtained, may be guessed at by the following proclamation, published in the month of July, at all the churches throughout the shire of Aberdeen. "Where-

* Scots Magazine for 1746.

as, arms have been found in several houses, contrary to his royal highness the duke's proclamation; this is therefore to give notice, that wherever arms of any kind are found, the house, and all houses belonging to the proprietor, shall be immediately burnt to ashes; and that as some arms have been found under ground, if any shall be discovered for the future, the adjacent houses and fields shall be immediately laid waste and destroyed."* How far this proclamation was acted upon, we have been unable to discover; but we can scarcely conceive of an edict more absurdly tyrannical. Under such monstrous regulations, who could for a moment say he was safe, either in life or property. A rebel, or a malicious neighbour, by burying a few broadswords in a man's field, and leading the mercenary soldiery to find them out, might, in one night and half a day, have ruined the most loyal man in the kingdom. Such, however, is the wretched effect of rebellion, that it forces even the mildest and most regular government to the adoption of desperate expedients. Nor is the most warrantable resistance, if ill-timed and imprudently conducted, a whit more fortunate, as it never fails in such cases to rivet the chains of the oppressed, while it strengthens the grasp of the oppressor, and not unfrequently gives renewed activity to abuses that were of themselves ready to expire.

These proclamations, and the general conduct of the army towards the Scottish people, were now beginning to be pretty loudly complained of; and as the rebels were totally dispersed, the sense of the deliverance was becoming feebler, and the general admiration that had been felt for the deliverers every day less. Whether the general was beginning to be aware of this, and took his measures accordingly, or if circumstances demanded his presence elsewhere, it is perhaps impossible now to determine, nor is it of any material consequence, but a party, in one of their marauding excursions, having killed a Mr. M'Kenzie, who as he fell exclaimed, that "they had slain their prince," cut off his head, and carried it to the camp, where little doubt was entertained but that it really was the head of the pretender, there appeared to be nothing

* Scots Magazine for 1746.

more to do but to preserve that tranquillity that had been so happily and so speedily attained. The duke of Cumberland, accordingly, having made all necessary arrangements, set out from Fort Augustus on his way to London, on the eighteenth of July. His royal highness was at Stirling on the twentieth, occupied the palace of Holyrood on the evening of the twenty-first, reached Newcastle on the twenty-second, York on the twenty-third, and on the twenty-fifth arrived at St. James'. He was attended by the marquis of Granby, lord Cathcart, colonel Yorke, &c. and escorted by a small detachment of Kingston's horse, and a few hussars. Lieutenant-general Hawley followed him at the distance of two days' march, and his secretary, Sir Everard Fawkener, about the beginning of August. His royal highness, as he went along, was received with every possible demonstration of respect. The magistrates of Glasgow, and other towns of Scotland, waited upon him with their respective freedoms; and the citizens of Edinburgh being at this time without magistrates, which prevented them from formally presenting him with the freedom of the city, presented him in a gold box with the freedoms of all the different incorporations. All these attentions his highness received with an amiable condescension, worthy of his high birth and splendid character.*

The earl of Albemarle was now commander-in-chief in Scotland, and the troops were stationed in the following order:—Houghton's battalion at Fort William, lord Loudon's, with the independent companies, at Fort Augustus, Blakeney's and Batereau's at Inverness, Mordaunt's at Nairn, and Handyside's at Elgin. All these were under the command of major-general Blakeney, whose district was from Fort William on the chain by Inverness, and along the coast to Speymouth. Dejean's and Fleming's battalions were stationed at Cullen and Aberdeen, under the command of major-general Skelton, whose district was from Speymouth along the coast to Dundee. The Royal, Skelton's, Sackville's, and the artillery, remained at Perth, under the orders of major-general Huske, and brigadier Mordaunt. Burrel, Price, and Conway's, were stationed at Stirling,

* Scots Magazine for 1746.

the Scots Fusiliers at Glasgow, and Lee's in the Canongate, Edinburgh, under major-general Bland, and lord Sempill. Wolfe, Pulteney, and Sempill's, were ordered for Flanders, Howard's for Carlisle, and Cholmondeley's for Newcastle. Kingston's horse were also ordered to the south, and the remaining five regiments of dragoons, viz. St. George, Cobham, Mark Ker, Nairn, and Hamilton's, as there was now nothing for them to do, were sent to grass upon the lands of the rebels.*

Though there was no action of consequence with the rebels after the battle of Culloden, yet there were not wanting encounters with small parties of them, besides several atrocious actions performed by them, which tended to abate the sympathy that was certainly pretty generally excited on their behalf, and to exasperate that spirit of revengeful animosity by which the army was too visibly all along animated. About the beginning of July, a party of rebels came down from the hills to the Braes of Angus in search of provisions, when they fell in with a party of Hamilton's dragoons, which killed a number of them, made seven of them, among whom was Patrick Lindsay, a captain in the rebel army, prisoners, and put the rest to flight. Seven rebels, major Stuart, brother to Ardvorlich, captain Macgregor of Comour, captain Donald Maclaren, sergeant King, *alias* Macree, late of lord John Murray's regiment, and three private men, were about the same time apprehended by a party of the Perth volunteers, in a hut on the Braes of Lenny, after a smart skirmish, in which all of the rebels save one were wounded.

Many robberies, and some barbarous murders, were committed about the same time by individual rebels, but more commonly by associated bands of them. A man of the name of Catanach, servant to Mr. Ogilvy of Kenny, in Angus, having been out along with his master, was apprehended by a party of dragoons, but in a short time set at liberty. Being observed afterwards to come and go once or twice between the place of his former residence, and the quarters of colonel Arabin, he was suspected of having become an informer, and in a few days most inhumanly murdered. Francis Anderson, Andrew Fithie,

* Scots Magazine for 1746.

and Barbara Coutts, the latter servant to Mr. Ogilvy, were apprehended for the murder. The two former were tried for it, convicted, and executed, in the month of September following. They were sentenced to be hung in chains, the one between Edinburgh and Leith, and the other at Forfar, near the place where the murder was committed. Mr. George Munro of Culcairn was also waylaid on a march at the head of a company of Munros, Rosses, and Macleods, in Lochiel's country, and most deceitfully killed. This was effected by a woman taking him aside to speak with him, where there was a Cameron concealed behind a bush, who, the moment the woman parted from him, took aim, and shot him on the spot. This was a third brother, of an excellent family, who fell in this execrable rebellion. They were both, however, the man and the woman, taken on the spot.* The houses of several gentlemen were also attacked by armed parties, and robbed of what valuables they contained; but these things, though vexatious and deeply to be deplored, were not by any means of a formidable character. There was evidently no longer any person of influence to direct the operations of the disaffected, and the country in general was rapidly regaining its usual tranquillity.

This returning tranquillity, however, was in some degree retarded by the behaviour of the army, which was such as to induce very general murmuring, till in the month of July several complaints were preferred against different officers, for particular acts of oppression of which they had severally been guilty. The first of these complaints was made by the factor on the sequestrated estate of Stanhope, and it set forth, that five or six of St. George's dragoons had driven off the farm of Harrow, the whole cattle, horses, &c. belonging to James Sinclair, tacksman of that farm, which they carried to Broughton, where they were quartered; that they afterwards returned to Harrow, took possession of the house and offices, with all that was in them, which for some days they continued to dispose of at such prices as they could procure, and it was apprehended that the growing crop would in like manner be taken possession of as soon as it was ready, to the prejudice of the creditors'

* Scots Magazine for 1746.

hypotheck. As the persons complained of were not named, the lords superseded advising it for some days. Another petition was therefore given in, stating that the factor having learned that the dragoons were commanded by a quartermaster, Cooke, did repair to Broughton, and asked the said quartermaster by what authority he had acted as above, and required him to cause the goods to be restored. To this the quartermaster answered, that as it was well known James Sinclair was in the rebellion, the dragoons had seized his effects, in consequence of the duke's general orders published in the newspapers; that he caused carry back the cattle, and had placed a guard over them, which guard he had promised to Mrs. Sinclair to remove, provided she gave security that the effects should be forthcoming when demanded by any person having proper authority, and without this he could not remove his guard.

The next was of a still grosser character, and set forth, that the complainer, David Ogilvy of Coul, merchant in Dundee, happening to be at Alloa, looking after some parcels of tobacco that had been seized by the rebels in the month of November last, was apprehended by the king's troops, and has been in confinement ever since; that in the month of June last, captain Charles Hamilton of Cobham's dragoons, did, with the assistance of a party of said dragoons, turn out of the parks of Coul the whole cattle belonging to John Ker and Alexander Guthrie, the complainer's tenants, put in dragoon horses to graze in the said parks, and when the horses were sent to the south, roused the grass for the current season, for which he received fifteen pounds sterling in ready money; that the said captain Hamilton thereafter took possession of the mansion-house of Coul, office-houses, yards, and lands adjacent, possessed by David Ogilvy, another of the complainer's tenants, roused his whole household furniture, cattle, horses, and other moveables found about the house, and at the same time made public intimation, that in the beginning of August he was to rouse the said David Ogilvy's whole growing corns. At the same time it was stated by the complainer, that his tenants, Ker and Guthrie, had been at home the whole time of the rebellion, and were never so much as suspected of acceding to it; and though the conduct of David Ogilvy might have been suspicious, yet his property, it was

contended, could not become forfeited till he was convicted, nor in any event could the complainer lose his hypothec. It was also urged, that if a timely check was not given to such proceedings, this gentleman, or some other pretending to be vested with like authority, might probably take possession of the complainer's whole estate, turn out his tenants, and by rousing his lands, convert their produce to his own use.

A third complaint was preferred against the said Charles Hamilton, in name of John Watson of Turin, near Forfar, stating, that on the third of July the complainer was committed to prison by the said Charles Hamilton, upon an information by David Scot, taylor, and his wife, importing that the complainer had threatened to turn the said David Scot out of a small possession if he did not enlist with the rebels. At the same time it was stated, that by a precognition taken before the justices of the peace in the bounds, it was made evident that Scot and his wife were infamous characters, and that the complainer had let their possession to another before there was the least surmise of a rebellion, and had all along lived as a peaceable and dutiful subject.

Regardless of all this, however, the said captain Hamilton having taken an inventory of the whole effects of the complainer's house at Turin, and stocking upon his farm, did, on the twenty-fourth of July, intimate to his lady, that she behoved to pay him sixty guineas, otherwise her husband's whole effects would be carried to Forfar, and sold by public roup. Two days were allowed her to provide the money, or make up her mind to part with all her effects, and she obtained three days' further indulgence, only upon promising then to grant a bill for the money payable in four weeks.

A fourth complaint was made in name of the liferentrix of Woodhill, near Dundee, which stated, that on the twentieth of May, James Grieg, sole tenant on the liferent lands, was apprehended by a party of St. George's dragoons, and committed to the jail of Aberbrothock, on suspicion of having been in the rebellion, and on the twenty-ninth of the same month, lieutenant Low of St. George's dragoons came with a party to Woodhill, and carried off the whole farm stock, horses, cattle, sheep, &c. &c. to Westhaven, a small town in the neighbourhood, where,

by the lieutenant's order, they were all sold by public roup. The said lieutenant in like manner seized upon twenty-three bolls of oats, with five cart loads of oats in the straw, and when the complainer's factor represented to him, that by the law of the country she had a preferable right to the current year's rent, this military beadle told him, that though the lady was the best lady in the land, he would take it all. The factor being ordered by his employer to take a protest against such doings, refused, alleging that several of his neighbours had been thrown into prison merely for protesting in like cases, and it was added, that the lieutenant had threatened also to take the growing crop, a roup of which, it was alleged, he had already intimated upon the ground.

A fifth complaint was moved on the part of some persons who had arrested a rebel's effects, and stated briefly, that the complainers had arrested, upon a depending action, some books belonging to John Murray of Broughton, in the hands of William Wallace, minister of Drummelzier, and executed a forthcoming; yet captain Mackean of St. George's dragoons, by threatening to send a party of his men to fetch them, did compel Mr. Wallace to deliver them up, and the books being sent to Edinburgh, the complainers arrested them a second time in the hands of John Macmillan, innkeeper, from whose house they were actually carried off by a party of dragoons. The petitioner, on this, protested against captain Mackean for damages, when the captain alleged that they had been carried off without his orders, and lodged in the house of a vintner in Kirkaldy, where he had promised they should remain till the business was legally decided; and though the complainers hoped they might depend upon the captain's word, they had thought it proper to have the authority of the lords interposed, in order to prevent further difficulties.

These complaints were all in substance nearly the same, and the prayers of the petitioners, that the persons complained of might be ordered to answer them respectively, and interdicts in the mean time be issued discharging all further procedure other than in a legal manner, it might have been supposed could not but meet with a ready acceptance from the court. This, however, was by no means the case—even such monstrous

acts of oppression and injustice did not want advocates either on the bench or at the bar. Orders were indeed issued, that the complaints should be answered, and quartermaster Cooke gave in his answers without any loss of time, and, when the case was advised, appeared in court in person. His answers were introduced with strong affirmations, that whatever suspicions some people might at present entertain of those of the respondent's employment, he had not learned any distinction between a British soldier and a British subject, and knowing, as he did, that there can be no authority for force or violence under the British government, he could not help showing the greatest anxiety to free himself from the suspicion of having been accessory to any thing that might be deemed a violation of the laws. The facts of the case, according to his own shewing, were the following:—That James Sinclair is a notorious papist and rebel, and eminently distinguished in the service of the pretender; that this conduct drew upon him the resentment of his loyal neighbours, which they from time to time expressed to the soldiers quartered at Broughton, affirming it to be a scandal that such a man's family should be allowed in the quiet possession of his effects;—accordingly, on the fifth of July, when there was no officer in these quarters, a corporal, and four or five private dragoons, were so far moved by the representations of Mr. Sinclair's loyal neighbours, as to go to his farm, and drive off, according to the representation, the whole cattle, horses, &c. that belonged to him, which they brought along with them to Broughton; that, after having performed this achievement, they entered the house only to search for arms, and finding two red sashes cut and clotted with blood, supposed to have been sent home by Mr. Sinclair as trophies of his particular bravery in the slaughter of two of his majesty's officers at Preston or Falkirk, the soldiers thereupon could not refrain from committing some outrages, which, however, ended in pilfering two old periwigs, two or three pair of stockings, a steel hilted small sword, and other trifles, the whole not worth more than twelve or fourteen shillings. The respondent denied at this time having any command of the party, having been at Dumfries, between thirty and forty miles distant; but that on

the eighth (three days after the robbery had been committed) he went at the command of his superior officer from Dumfries to Broughton, where he challenged the corporal for what had been done, who pled the information and advice of Sinclair's neighbours, and the general orders of the duke for seizing the effects of all rebels. The respondent, however, sensible of the irregularity of the corporal's conduct, resolved to anticipate any application for having the goods restored, and desired a gentleman in the neighbourhood to write of his design to Mrs. Sinclair, who had gone to Edinburgh, and on her return waited upon her at her own house at Harrow, and restored all the horses and cattle on the eleventh of the month, five days before the first complaint was given in to the lords. But as these cattle had been seized for the king's use, as he was doubtful of his own powers to make an absolute restitution, and as the cattle might afterwards be carried off irregularly by soldiers, by the country people, or by those concerned in Mr. Sinclair, to the prejudice of his majesty's forfeiture, he found himself under the necessity of placing a single dragoon to attend the farm, and watch over the effects, lest any of them should be embezzled, or carried off without proper authority. As to the periwigs, stockings, and other trifles that had been taken away, the respondent admitted that they could not be recovered so as to be restored at the same time; but he promised to Mrs. Sinclair, that he would endeavour to recover them, and either restore or pay the value of them, and she acknowledged them to be so trifling as not worth the being inquired after, expressing, at the same time, in very strong terms, her gratitude for what the respondent had done for her. The respondent, however, upon further search, recovered even these trifles, and ordered them to be returned. Upon all which he concludes, that in order to prevent any bad consequences accruing to his (the respondent's) character, and future trouble to the court, by groundless complaints of the same nature, he ought to be assoilized, and expenses awarded to him. The lords found that quartermaster Cooke had not in any thing exceeded his duty, dismissed the complaint as groundless, and found the complainer liable to him in six pounds sterling of expenses!!

They, however, ordered him to take off his guard, giving notice twenty-four hours before to the sheriff or his deputies, that the goods and cattle might be taken proper care of.

This finding was not very encouraging for the poor complainers, but, fortunately for them, captain Charles Hamilton did not even condescend to answer the complaints that had been laid against him: the court of course found him guilty of a contempt of their authority, and granted warrant to macers, messengers, or other officers of the law, to seize, apprehend, and incarcerate the said captain Charles Hamilton in the next sure prison to the place where he is apprehended, ay and until he find sufficient caution, at the sight of the sheriff of the shire in which he is apprehended, to make answer to the said complaint against the first of November next, and to satisfy and pay such damages as shall be found due to the complainer, and ordain the keepers of such prison to receive and detain him accordingly. Answers to all the other complaints were ordained to be given in by the said first of November, and interdicts were pronounced in the mean time prohibiting any further procedure other than in due course of law.

This interlocutor happily put a stop to all these tyrannical proceedings, and so tended greatly to tranquillize the country. Hamilton granted the security required by the court, and so was not incarcerated; and when the month of November came, he appeared boldly on his own behalf, and it was argued for him, that nothing had been done by him but what was consistent with both law and justice; besides, that he claimed the benefit of the act of indemnity, that had been passed for the behoof of such persons as "had done divers acts which could not be justified by the strict forms of law, and yet were necessary, and so much for the service of the public, that they ought to be justified by act of parliament;" and it was concluded, that their lordships behoved to dismiss the complaint, and decern the complainer to pay the captain the full and real expense he hath been put to by the suit. On the eighteenth of December, 1746, their lordships delivered the following interlocutor, "The lords having heard the petition and complaint of Thomas Ogilvy of Coul, with the answers thereto for captain Charles Hamilton, and heard parties' procurators thereupon,

find the matters charged on the said captain Charles Hamilton in the said complaint, not appearing to have been advised, commanded, or done, in order to suppress the late unnatural rebellion, or for the preservation of the public peace, or for the safety of the government, do not fall under the late act of parliament *for further indemnifying such persons as have acted in defence of his majesty's person and government during the unnatural rebellion*, and therefore find the said captain Hamilton liable for the rent of the parks, set to Ker and Guthrie, for the current year; and for the value of the goods and cattle of David Ogilvy, introduced with by him to the extent of the petitioner's hypothec for the said David Ogilvy's rent for the current year, and remit to this week's ordinary upon the bills, to hear parties on the extent of the said rent, goods, and cattle, with power to grant a proof to both parties, and to do in the premisses as he shall find just."*

The merit of this decision, so beneficial to Scotland, and so honourable to her supreme court, has always been allowed in a particular manner to belong to the lord president of that court, Duncan Forbes of Culloden; a man who did more to suppress the rebellion, than all his majesty's ministers put together, but whose advice was too little attended to in the outset, the progress, and the conclusion of the whole affair. Sir Andrew Mitchel, writing to him at this time, says, "I am persuaded that providence intends you should once more save your country; and as an earnest of it, I consider your decree in the case of captain Hamilton, the honour of which is ascribed to you though the bench were unanimous. One circumstance gives me pleasure, that the decree was made before the order of the house of lords for putting lord Lovat into possession."†

But it was not upon the persons or the properties of rebels, or suspected rebels, alone, that these outrages were committed by the army; which, in the wantonness of power, and under the intoxication of victory, seems to have had a strong desire to trample upon the country as a nation. Hence, at Inverness, only a few days after the battle of Culloden, at the execution of an officer among the rebels, who had been found to be a de-

* Scots Magazine for 1746.

† Culloden Papers, pp. 294, 295.

serter, not satisfied to see his ignominious death, an English officer drew his sword, and run it wantonly and brutally through the yet suspended, but dead body; exclaiming, in the hearing of many armed Scotchmen, who had given abundant proofs that they were as loyal as himself, that "his whole countrymen were rebels!" an act of insolence and folly which had well nigh cost him his life, along with the lives of many better and braver men, had not the duke of Cumberland been on the spot, and by prudent management, and a well-timed eulogium upon the fidelity and bravery of the Scotch part of the troops, averted the evil.* Hence too at Stirling, in the end of July, when the country was in the most perfect tranquillity, upon a paltry dispute between a lieutenant Stoyt, and a journeyman barber, about a wig, the barber was followed by the said lieutenant, and others his brother officers, into his master's house, and most brutally abused, in defiance of all his master could do to protect him. After abusing, in his own house, both master and servant, they dragged the servant to the guard, and upon the complaint of the said lieutenant Stoyt, the lieutenant colonel of the regiment, George Howard, ordered the poor barber to be tied to the halberts, and publicly whipped in the market-place. The magistrates of Stirling waited upon colonel Howard, and remonstrated with him upon the illegality and impropriety of his conduct—required him to deliver the barber up to them, and if he had in any respect transgressed the law, declared themselves willing to do justice upon him. The colonel answered with the utmost insolence, that he had ordered the barber to be flogged, and flogged he should be, and that he would have them to know that he commanded in Stirling, with other impertinencies, equally unworthy of his character as an officer and a gentleman. The colonel, however, shortly after, by the advice, or at the request of the major of the regiment, set the barber at liberty; but not till he had undergone the cruel and ignominious punishment of a public flogging, which was inflicted upon him with the utmost severity.

Had not the Scotch spirit been greatly humbled, such an outrage in Stirling had certainly cost colonel Howard his own

* *Memoirs of the Rebellion, &c.* pp. 203, 204.

life, and perhaps not a few of the lives of his men; even as it was, had he been under the necessity of remaining upon the spot, he might have found his situation not the most comfortable. Unable personally to contend with colonel Howard and his whole regiment, Mr. Pollock the barber, and Maiben his servant, with the magistrates of Stirling, gave in to the court of justiciary, an information, charging lieutenant Stoyt as guilty of hamesucken, against Mr. Pollock, and Maiben his servant; colonel Howard and lieutenant Neilson of a most barbarous and cruel abuse, and maltreatment of Maiben's person, and of a manifest invasion of the magistrate's office, and of the rights and liberties of the subject, and therefore craving warrant for apprehending their persons, and imprisoning them till they should underly the law. Their lordships, however, instead of issuing, as might have been expected, a warrant for the immediate apprehension of these violent intermeddlers with the administration of justice, passed an interlocutor on the first of August, remitting to the sheriffs of the shire of Stirling, to take a precognition anent the facts complained of, and to report the same. In the meantime, care was taken to march colonel Howard and his regiment to Glasgow on the thirtieth of July, where the officers were splendidly entertained by the magistrates, and complimented with the freedom of the city; and on the first of August marched for Carlisle, where they were safe from any effects that for the present could follow from Scottish resentment.*

On the same first of August, the troops stationed at Aberdeen took it into their heads to celebrate the accession of George I. to the throne of these realms; and the earl of Ancrum, who commanded there, sent an order to the magistrates, commanding the bells to be rung, and the windows to be illuminated. The anniversary of this day had never been observed in Scotland after the death of George I. nor had it ever been the practice there to commemorate the accession of any other than the reigning monarch. The bells were, however, rung, but no order was given for illuminating, and the town of course was not illuminated. All the officers having assembled at night

* Scots Magazine for 1746.

in a tavern, before which the soldiers were drawn up, drank the royal healths, with other loyal and appropriate toasts, under discharges of small arms. The soldiers were no sooner dismissed, than they dispersed themselves through the town, breaking windows, and committing other acts of outrage under the colour of loyalty. In consequence of this, the earl of Ancrum also was displaced in a few days by the lord Sempill.

The camp at Fort Augustus broke up on the thirteenth of August, and the body of the army marched to the south, heartily tired of the country they had been occupying, and leaving the country as heartily tired of them. Lord Loudon was left at Fort Augustus with his own regiment, and seventeen companies of militia, composed of Mackays, Macleods, Monroes, Sir Alexander Macdonald's men, &c. Small detachments from this corps were stationed at Ruthven, Dalwhinnie, Dalnacardoch, and the other stations along the military road, so as to render travelling in any of the ordinary directions almost perfectly safe.

Major-general Campbell, about the same time, returned to Inveraray with the Argyleshire militia, having, in the various routes he had pursued through the rebel districts, picked up between two and three thousand stand of arms, and a considerable number of prisoners, the principal of whom were sent to England, and those of inferior note to Fort Augustus. A considerable number made their submission to general Campbell, and it was the opinion of the most of those who did so, that had all the generals conducted themselves with the same moderation as general Campbell did, there would not have been found by that time one rebel in the whole Highlands of Scotland.* Of avowed rebels the numbers were now indeed few, the principal leaders, with a few exceptions, having either made their escape, or fallen into the hands of their pursuers; those of inferior influence had nothing left but quietly to submit, and making a virtue of necessity, to do it with the best grace they might. Still there were a few of no mean note, Lochiel, Clunie, &c. lurking among the fastnesses of their native mountains, not having been able as yet to effect their escape; and

* Scots Magazine for 1746.

even the pretender himself had been compelled to witness the progress and the complete consummation of that ruin which his rash and ill-conducted attempt had brought upon his devoted admirers and faithful adherents, the poor Highlanders, which he seems to have done with the most selfish apathy, having never, as far as we can discover, under all that he beheld, indulged one more generous sentiment than what immediately concerned the preservation of his own life, which was saved, as if by miracle on several occasions, not by any heroism on his part, but by the unwearied exertions, and the inextinguishable admiration of his friends. These perilous adventures have been carefully chronicled, and often enlarged upon with all the warmth of adoring enthusiasm; we shall attempt shortly to narrate them with the simplicity of truth.

We left the pretender, the fatal day of the battle at Culloden, on his route for Invergarie, where he arrived with his attendants about five o'clock on the morning of the seventeenth, but found, in anticipation of the ruin that was approaching it, the castle deserted, without furniture, and without provisions, so that they had only the bare floors to repose upon; and, but that they found a net in the lake, which upon being drawn afforded them two salmon, they must have fasted into the bargain. This day he pursued his journey through the country of Glengarie, and slept at the house of Macdonald of Droynachan, where he was again glad to regale on a broiled trout. On the eighteenth he came to Locharkaig, in Lochaber, where he lodged for the night with Cameron of Glenpean. Next day he reached Oban, in Kinlochmors, a part of Clanronald's estate, where he lay with his company in a sheeling on the edge of a wood. On the twentieth, the Sabbath, he came on his way to Arisaig, to Glenbeastal, where he remained for four days, and was waited upon by Lockhart younger of Carnwath, and a number of the gentlemen belonging to Clanronald's family, who had escaped from Culloden. Here it was where he had the message from lord George Murray, by the notorious John Hay, requesting him not to leave the country, as his friends did not by any means consider his cause as yet hopeless. Charles, however, was quite resolved, and perhaps had a good right to be so; yet, having begun with seven individuals, there was certainly some inconsistency in

giving up when his followers were as many thousands. He, however, gave John Hay a written order to which we have already adverted, though it was not to be shown to his friends till so many days had elapsed, during which he intended to sail for the Long Island, where he expected to meet a ship that would carry him to France, whence he was hopeful of returning very soon with a powerful re-enforcement. It was in vain that, to dissuade him from his purpose, Clanronald joined his voice to that of all his Scottish friends, proffering to build for him a number of small huts amongst his extensive woods, where, shifting from one to another as circumstances should require, he would be perfectly safe under the faithful watch that would always be kept on foot for his sake; while Clanronald himself, and a few chosen friends, would traverse the Isles, and find out a vessel to carry him to France at any time such a mode of procedure should be found necessary. Sullivan, who was still his companion and confidant, had the entire mastery over him, and he would think of nothing but the Isles. Of course, Clanronald provided him an eight oared boat, which had formerly belonged to Macdonald of Borradale, with expert rowers, and such necessities for the voyage as the place could afford, which was only four pecks of oatmeal,* and on the twenty-fourth he embarked at Lochnanaugh—the very place where he landed the previous autumn—for the Isle of Uist, Donald Macleod being his pilot.

Charles at this time assumed the name of Mr. St. Clair, Sullivan passed for old St. Clair his father, and Macdonald the priest, for a gentleman of the name of Graham. The wind blew a very fresh gale, and in weathering the point of Arisaig, their bowsprit went to pieces. The gale speedily increased to a hurricane, the night became dismally dark, and having no compass, they could only guess at the course they were steering; but at break of day they found themselves near the island of Benbecula, on which they landed at the town of Rosnish, on the morning of the twenty-fifth. The storm still continuing, they remained here for three days, during which time they had a visit from old Clanronald, to whom the island belonged; but

* Culloden Papers, vol. ii. p. 540.

it would appear, though he was proprietor of an island, he was unable to render even to him he considered his prince any assistance, for an uninhabited hut was their lodging, where Charles could obtain no better bed than an old sailcloth, nor one of the company any better fare than a little of the oatmeal they had brought along with them, and plenty of water.*

On the twenty-eighth they set sail for the island of Lewis, and they now agreed that they should represent themselves as having been wrecked on the island of Tiree, and endeavouring to get home to their own country, the Orkneys. They were, however, again overtaken by a storm, and on the morning of the twenty-ninth, landed on the island of Skalpay, belonging to a person of the name of Campbell, who was entirely devoted to the interests of the Stuarts, and very frankly lent Donald Macleod his boat on the thirtieth, to carry him and other four of the company to Stornoway, for the purpose of hiring a boat to carry them to the Orkneys. Macleod soon succeeded in procuring a boat, having promised one hundred pounds sterling for the freight of one forty tons burden, and, sending back notice of what he had done to Charles on the third of May, was followed by him and all his attendants on the fourth, in the boat that had conveyed them from Borradale. Owing to contrary winds, however, they were compelled to land on the island of Lewis, at a great distance from Stornoway, travelling towards which, in a dark and rainy night, through the ignorance of his guide Charles lost his way, and was glad to halt at lady Kildeen's house in Arynish, which he did not reach till near noon of the next day. And fortunate it was for him that it so happened, for Macleod being full of money, and full of his commission, could not refrain, after partaking of a little brandy, from giving himself airs from which the owner of the vessel inferred the secret, and refused to abide by his agreement. Donald, loath to be balked after he had gone so far, to make sure work proffered to purchase the vessel at a very high price, which at once confirmed the suspicions of the owner, and it was at once blazed abroad that Charles was at Lewis. Donald was soon sensible of his error, and fearing fatal conse-

* Home's History of the Rebellion, p. 175.

quences from it, hastened to Arynish, where he told Charles all that had happened. In consequence of this, Charles and his company hastened to their boat, which they had left at Lochseafort, where, as they were launching it, Donald, to repair in some measure the errors he had committed, asked at the people who were gazing upon them, if there was one of their number who for a good hire would pilot them into Lochfraon, a harbour in lord Seaforth's country, Ross-shire, from which it was conjectured they were bound for that part of the mainland, though they did not intend any such thing. They, however, put to sea without loss of time, on the evening of May the sixth, the people from the shore carefully watching their course. The darkness of the night, however, soon put an end to any observation from the shore, and contrary winds forced the poor adventurers into a creek of a small island at the foot of Lochalg. Here they were under the necessity of remaining two nights, and could perceive several boats pass that they had no doubt were sent to Lochfraon in quest of them. They also here observed two large vessels, which Charles believed to be French, but which his attendants were certain were English; nor could any of the company be prevailed upon to go out to see. They were, indeed, French, the ships which we have already mentioned, as having landed some money and stores for Charles, and had been in Lochnanaugh the day after he left it. They were still beating about for the very purpose of affording him the means of escape, which he lost at this time through an excess of caution.

On the eighth the wind shifted to the north, they again put to sea, and landed at Rainish, near Rossnish, on the island of Benbecula, where they had landed when they first left the mainland, and were again waited upon by old Clanronald and his lady, who gave him such supplies as the island could afford. Charles was now in want of every thing; the drummock and dried fish upon which he had been living, had begun seriously to injure his health, and it was proposed that he should lodge in old Clanronald's house. After having considered all the circumstances of the case, however, it was agreed that he should be removed to South Uist, and lodged in the forest house of Glencorridale, a place very remote, yet central for corre-

sponding with his friends, and in case of sudden alarm, most convenient either for taking to the hills or to the sea. The house was accordingly fitted up in the best manner that time and means would permit, and Charles took possession of it, attended by Sullivan, Macdonald, the captain and priest, captain O'Neil, the two Rories, and Alexander and John Macdonald, all formerly officers in Clanronald's regiment; with a dozen of their dependants to serve as guards, as guides, or as couriers. On this sequestered spot Charles passed his time in the best manner he could, hunting and fowling occasionally; leaving it to his friends to contrive and prepare the means of his escape, which was every day becoming a matter of more difficulty.

For some time after the battle of Culloden, it was not known at Inverness what route Charles had pursued. Detachments of troops, however, were very soon sent out to every place where there was any likelihood that either he himself or any of his principal followers might be found. General Campbell, and his son colonel Campbell, both afterwards dukes of Argyle, sailed with a body of troops to St. Kilda, the most remote of all the Æbudean isles, which they searched narrowly in hopes of finding him there. Their search proving fruitless, they lost no time in returning to Bara, where some hundreds of regular troops, under the orders of captain Ferguson, had landed before them. The Macleods and the Macdonalds of Skye had landed upon Benbecula at the same time, and all of them proceeded to South Uist, intending to search that chain of small islands that passes under the name of Long Island, from south to north, with the utmost minuteness, having many reasons for supposing that in some one of them he was yet concealed. To facilitate their aim, and to render it certain, the Long Island was literally surrounded with cutters, sloops of war, frigates, &c. &c. and at every ferry a guard was posted, with the strictest orders to suffer no person to pass, without a regular passport from some of the commanding officers. Charles and his few attendants were now in the utmost perplexity, especially when they learned from their scouts, that general Campbell had landed on one end of the island, and captain Ferguson upon the other, and that they intended a regular progress till they should meet in

the centre of the country. They immediately repaired to the top of a hill in South Uist, called Beinil-koinish, whence they had an extensive prospect, and could not be come upon without perceiving the approach of their enemies. This situation, however, they soon found to be untenable; and after many extraordinary escapes, bent all their endeavours to have Charles conveyed off the island, which, with all their ingenuity and hardihood, so powerful were their enemies, and so completely had they taken their measures, they found it impossible to effect by any ordinary means. As a last resource they made application to a young lady, Miss Flora Macdonald, a distant relation to the Clanronald family, who at that time kept house with her only brother at Milnton, in the Island of South Uist. Her father, Macdonald of Milnton, had been long dead; and her mother was married to Hugh Macdonald of Armadale, in the Island of Skye, who was at this time in Uist pursuing Charles, and was the oldest captain among the Macdonald companies employed in this service. Having been fixed upon by the pretender's friends, who contrived to have a meeting at a sheeling called Ashary, within a mile of Milnton, this young lady was introduced to Charles, and it was proposed that she should take him under her protection, dressed in female apparel, as her servant, and, procuring a passport from her stepfather, carry him to the Island of Skye. The boldness of the proposal startled her at first, but after hearing the circumstances of the case stated, pity, the characteristic of womankind, prevailed, and she consented to make the attempt. She accordingly hastened to old lady Clanronald, who provided whatever was necessary for the disguise, and accompanied her to Lochniskava in Benbecula, where Charles and his few attendants waited for them, with a small boat ready for sea.

The dress which the ladies had provided to disguise the pretender, was such as they supposed suitable to the character which he was to assume—that of an Irish woman, in the situation of a servant. It consisted of a calico gown, a light coloured quilted petticoat, and a mantle of dun coloured camlet, made after the Irish fashion, with a hood joined to it. Lady Clanronald after having dressed Charles in his new attire, took her leave of him, as did all his companions, committing him to the care of

Miss Macdonald, who had a pass for herself, a servant man who attended her, and for Charles, under the name of Betty Burk. Necessity had separated him, some days previous to this, from all his more particular friends, and now, June the twenty-eighth, he set sail from Benbecula for the Island of Skye, having his sails filled with a fair and a gentle breeze, about one o'clock in the afternoon. Next day they were surrounded with a thick fog, which made them drop their oars lest they should mistake their course, or come upon the island unawares. The fog, however, soon cleared away, and mistaking the point of Snod for that of Waternish, the wind, in the meantime, blowing fresh from the land, they were obliged to row in shore, where they were observed by some of the Macleods, who called out to them to land, which, considering the way in which they were provided, they might, one would suppose, have done without any danger; they, however, did not venture, but, though some shots were fired after them, pulled on with all their might, and doubling the point of Waternish, proceeded to Kilbride in Skye, where they landed on the twenty-ninth of June near Mugstot, the seat of Sir Alexander Macdonald, upon whom Charles seems to have been resolved to impose himself at this time, which, had he done, his history had been at least shorter, and his character had stood fairer with posterity. Sir Alexander himself was then with the duke of Cumberland, and a number of his majesty's officers were inmates of his house, with whom, coming into contact in such circumstances, it is scarcely possible the would-be monarch could have escaped. Unaware of these circumstances, Miss Macdonald dismissed the boat, with orders to return to Uist, conducted her charge to a sequestered spot in the fields, where she left him, and repaired to the house of Sir Alexander Macdonald. Here she met with Macdonald of Kingsborough, Sir Alexander's factor, who had been invited to meet with Charles upon the shore at Mugstot, and to whose charge, seeing he could not be admitted into Mugstot, he was now given up. Kingsborough went immediately into the fields to seek him, carrying a bottle of wine and other refreshments along with him, while Miss Macdonald, to save appearances, dined at Mugstot with lady Macdonald, and immediately set out on horseback after Charles and Kingsborough, followed by her

servant Neil Macgechan. She of course soon overtook them, for they had better than seven miles to walk; but she rode on to Kingsborough's house, leaving Kingsborough to enjoy his guest, and to bring him up at his leisure. He was certainly no very tempting inmate, if we may credit Sir Alexander Macdonald's account of this matter, in a letter to the lord president, written to extenuate the conduct of his factor:—"He, the pretender," says the knight, "accosted him with telling him that his life was now in his hands, which he might dispose of—that he was in the utmost distress, having had no meat or sleep for two days and two nights. Sitting on a rock, beat upon by the rains, and when they ceased ate up by the flies—conjured him to show compassion but for one night, and he should be gone. This moving speech prevailed, and the visible distress, for he was meagre, ill-coloured, and overrun with the scab, so they went to Kingsborough's house, where he lay that night, and he furnished him a horse to carry him seven miles next day to Portree."* It was not possible indeed for him to stay longer with Kingsborough, for the boatmen on their return to Uist were laid hold of by the soldiers, and being threatened, confessed all, so that Charles' metamorphosis was already known over more than half the islands, and Kingsborough, receiving him as a woman, was fain next day to smuggle him off as a man. As there were no troops in Rasay, it was recommended by Kingsborough as a safe place, and a message was sent to Macleod of Rasay to solicit his assistance. Rasay was in the rebellion, and had not yet returned, but two of his sons came with a boat to Portree, and carried Charles into that island. They could give him no better accommodation, however, than the shelter of a cowhouse, which was all they had to themselves, a detachment of the king's army having been on the island but a short time before, which had burnt all the houses, and carried off the cattle, and, after remaining two days, he returned to Skye, where he spent a few days with the old laird of Mackinnon. Finding it impossible to save him from falling into the hands of his enemies any longer in the islands, Mackinnon, with four of his people, ferried him over to the mainland on the tenth of July, and landed him at a

* Culloden Papers, p. 92.

place called Bluarbach, on Glengary's lands in Knoidart. Mackinnon having parted with Charles on the twelfth, the latter sailed for Lochnevis, and on his voyage met with a party of the Macdonalds on their way from Skye to join the duke of Cumberland; but his attendants answering all the usual questions without hesitation, he was allowed to proceed without any interruption. He was no sooner out of sight of this party, however, than he landed, and travelling all that day and the following night through woods and over hills, arrived on the thirteenth at Moror, on Clanronald's estate, where he met with a hearty welcome from the laird of Moror, lieutenant-colonel Macdonald. The houses of Moror, however, being all destroyed by the duke of Cumberland, Charles could obtain no better accommodation than a hut, in which he rested one day, and on the night of the fourteenth, accompanied by captain Mackinnon and a guide, set out for Boradale, the place of his first landing, where he arrived before day, and was most cordially received by Angus Macdonald of that place. Here too the houses were all burnt, and every thing carried off by the king's forces, and a hut in a wood was all the convenience that could be obtained. With this accommodation, such as it was, Charles rested satisfied for three days, when he wrote a letter to Alexander Macdonald of Glenaladale, requesting his assistance. Scarcely had he sent off this letter, when he was informed that old Mackinnon was apprehended, and it was judged necessary, to prevent the same result to himself, to remove a few miles to the eastward, into an almost inaccessible cave, which was known to very few even of the inhabitants of the country, where he remained, accompanied by Angus Macdonald of Boradale, and his son Ronald, till the twentieth, when Glenaladale came to him.

On the twenty-first Angus Macdonald was informed, by a letter from his son-in-law, Angus M'Eachine, formerly surgeon to Glengary, that Charles' hiding place was reported in the country, and therefore advising, that he should be allowed to stay in the neighbourhood of Boradale no longer, at the same time making offer of a place in the Glen of Morar, where he might be accommodated with safety for some time, which place Ronald Macdonald was instantly despatched to examine. On the twenty-second, lieutenant John

Macdonald being sent to the sea coast, returned with the report of a vessel, which he took to be one of the enemy's tenders, which alarmed the pretender so much, that he resolved on quitting his grotto without waiting for Ronald Macdonald's report. He accordingly set out, accompanied by Angus Macdonald of Boradale, John Macdonald, Angus' son, and major Macdonald of Glenaladale, and at Corrybeine Cabir was met by M'Eachine, who had invited him to the Glen of Morar, and who now informed him, that Clanronald had come within a few miles of them, waiting to conduct him to a safe place of his own providing. Considering himself too far on his way to Glen Morar to see Clanronald that night, the pretender pursued his journey, supposing he would have time enough to see him next day. In the meantime Angus Macdonald, who had been sent on before, found on his coming to Morar, that general Campbell, with several men-of-war, had just anchored in Lochnevis, at the very place where Charles landed on his coming from Skye, and, having set two men to watch the motions of general Campbell, took his way back on the morning of the twenty-third, without waiting for any necessities, bringing intelligence that captain Scott, with his party, was come from Glengary's Morar to the lower part of Arisaig, whereby Clanronald's country was wholly surrounded by the government troops. Charles, of course, had nothing left for him to do but to escape from that country—if escape was yet possible—without a moment's delay. Accordingly, parting with Angus Macdonald, and his son-in-law M'Eachine, he set out, accompanied only by Glenaladale, and his brother John Macdonald, and John Macdonald, junior, of Boradale, that they might the more easily pass the guards that lay in the way, and by twelve o'clock were at the top of Scoorvuy, a hill in the utmost bounds of Arisaig, whence, when they had taken some refreshment, Glenaladale's brother was sent to Glenfinnin to collect intelligence, and order two men, whom he had there stationed, to meet them by ten o'clock at night on the top of Swerink Corrichan, a hill above Lochairkaig, in the country of Lochiel. Charles, Glenaladale, and lieutenant John Macdonald, taking the route for the same place, came about two o'clock to the top of a hill, where, observing some cattle in motion, the former,

and the latter of these gentlemen, concealed themselves, while Glenaladale went forward to inquire into the cause, and found it to be a number of his own tenants driving their cattle out of the reach of the troops, who, to the number of six or seven hundred, were come to the head of Lochairkaig on purpose to enclose Charles, whom they were well assured was now in Clanronald's country, through which they were making the most minute search. This was intelligence of the most alarming description, but it probably saved them from falling into the hands of their enemies, who were just before them. Glenaladale instantly sent one of his tenants to Glenfinnin, from which they were only about a mile distant, to recall his brother, and bring along the two men whom he had stationed there for a guard; he sent also another of his tenants for Donald Cameron of Glenpean to a neighbouring hill, whither he had retired with his effects upon the approach of the soldiers, from whom he expected to learn the situation of the troops at Fort Augustus, and by whose prudence and knowledge of the country he hoped to be guided past the guards that were now stationed around them in all directions.

Waiting here for the return of these messengers, one of Glenaladale's tenants' wives, lamenting the fate of her master, milked some of her cows, and brought him the milk, being all the refreshment it was in her power to furnish, and even this kindness in his present circumstances he would gladly have declined. Charles, on her approach, covered his head with a handkerchief, and passed for one of Glenaladale's servants, who was ill with a headache—the woman was politely dismissed, and a small portion of the milk saved for his special refreshment. The messenger sent to Glenfinnin soon returned having found none of the persons he was sent for; but he brought the alarming intelligence, that upwards of one hundred of the Argyleshire militia were already at the foot of the hill upon which they now stood. The messenger sent for Donald Cameron had not yet returned, but there was no time to be lost, so they set out about sunset, travelling with the utmost expedition till about eleven at night, when, passing between two hills, they perceived a man coming down one of the hills towards them, upon which Charles and lieutenant Macdonald

concealed themselves, while Glenaladale stepped boldly forward to see whether the man was a friend or a foe, and to his great joy found him to be their much longed for guide, Donald Cameron of Glenpean, who was immediately introduced to Charles, gave him a particular account of the situation of the king's troops, and, undertaking to guide him safely through all the guards that surrounded him, they pursued their way by roads almost impassable even in daylight, and about four o'clock in the morning, of the twenty-fourth of July, reached the summit of Mammyn Callum, a hill in Lochairkaig, whence they had a perfect view of the enemy's camp, from which they were scarcely a mile distant. Informed by their guide that this hill had been narrowly searched the preceding day, they concluded that there was little danger of the search being this day repeated; so, looking out for the fittest place for that purpose, the whole party lay down to take a little sleep. After sleeping two hours, Glenpean, Glenaladale, and his companion the lieutenant, got up to keep watch over Charles, and about ten o'clock were joined by Glenaladale's brother, who had been sent to Glenfinnin, and missing to meet them at the appointed place, had come hither in search of them. This gave them a very sensible pleasure, as they had given him up for lost. On the top of this hill they all continued till nine in the evening, when they again set out to the southward, and about one in the morning of the twenty-fifth came to Corinangaull, on the confines of that place of Glengary's country called Knoidart, and that part of Lochiel's called Lochairkaig. Here their guide expected to meet some of the Lochairkaig people, who he knew had fled to this place with their cattle, and from whom he expected a supply of provisions, of which they were in great want, having nothing but a little butter and some oatmeal, which they could not prepare, not daring to kindle a fire, as they were never out of sight of their pursuers, who had formed a chain in a direct line from the head of Lochiel to the head of Lochruin, dividing Knoidart from that part of Macleod's country called Glenal, each little camp being within a mile of the other, and the sentinels placed so as to be within call of each other, patrols going between the sentinels every quarter of an hour to see that they were doing their duty. In this situation they were

when Glenaladale and Glenpean ventured down to some sheelings, where they hoped to have found some of the people, but were disappointed. The whole party then went to a fastness in the brow of the hill at the head of Lochmaigh, where they were about a mile distant from the troops, and where they all lay down to take an hour's sleep, after which Glenpean and Glenaladale's brother went off to the hill above them, in order, if possible, to procure some provisions, Glenaladale and lieutenant Macdonald standing sentry over Charles while he slept. No sooner did the sun begin to light up the landscape around them, than they perceived one of the enemy's camps at the head of Lochnaigh, within a very little of their present resting place. They resolved, however, to wait the return of their two foragers, which was not till three o'clock in the afternoon, and all they had been able to procure was only two small cheeses, which, when divided, afforded only a mouthful to each of them: they also brought the disagreeable intelligence, that there were upwards of one hundred soldiers on the opposite side of the hill, searching for such miserable fugitives as, like themselves, had fled thither for protection. They, however, kept close in their hiding place till eight o'clock, when they set out again with all the speed they could make till it became quite dark, when, climbing the rugged steep of Drimachcosi, they observed from its top the fires of a camp directly in their front, which it was necessary they should pass, and in doing so they came so near it as to hear the soldiers talking to one another; but they had no sooner climbed up the next hill than they perceived before them the fires of another camp directly in their way, which they passed in the same manner, viz. creeping through between two of the sentinels, about two o'clock on the morning of the twenty-sixth.

After passing the enemy's camp they travelled, as they supposed, about two miles, till they came to Corriscorridill, on the Glenelg side of Lochairn, where, selecting a secure place, they refreshed themselves with each a slice of cheese, which they covered with oatmeal in place of bread, and a drink of spring water, after which they lay close till about eight o'clock at night, when they began to think of their journey, and as Cameron of Glenpean was not acquainted with the

country any further in the direction in which Charles was going, he, along with Glenaladale, proposed to move about a little in hopes of finding a person who was so, and who might be employed as conductor to the party, when, to their astonishment, they found that they had rested all day within cannon shot of two little camps, into one of which they saw a party of soldiers driving a number of sheep for slaughter. They then turned back to inform Charles of his situation, and, without thinking of a guide, the whole party set off on the instant, and by three o'clock on the morning of the twenty-seventh reached Glenseil, in the country of Seaforth. As their provisions were now entirely exhausted, Glenaladale, and John Macdonald of Boradale, were sent out to endeavour to procure some, and, if possible, a guide to conduct them to Pollew, where it was reported that two French vessels had recently been. While employed with some country people on this business, Glenaladale found a man who had been chased from Glengary's that morning by some soldiers who had killed his father the day before. Knowing this man to be worthy of his confidence, for he had been with the rebel army, Glenaladale retained him to serve as a guide, in case circumstances should compel them to alter their course. In the meantime he furnished himself with some provisions, and returned to Charles and his company, when they all partook of the refreshment he had procured, and retiring to the face of a neighbouring hill, laid themselves down, and slept till between four and five o'clock in the afternoon, when they dismissed their guide, Donald Cameron of Glenpean, after whose departure the Glengary man was mentioned to Charles, who approved of retaining him, and about seven o'clock, the man whom Glenaladale had employed to find a guide to conduct them to Pollew, came to meet him at the place appointed, with intelligence that a guide could not be had, and that there had been a French vessel at that place, but that she was now gone. This satisfied Glenaladale that it was useless to pursue their journey further in the way of Pollew, so he sent the man to his own home, and, returning to Charles, it was agreed to pursue their journey in a different direction. The Glengary man on this occasion was introduced to Charles, and cheerfully undertook to conduct him.

It was now getting late, and they set out upon their journey, but had not gone half a mile when Glenaladale missed his purse, within which was a purse of gold the pretender had given him to bear their expenses. Recollecting that he had left it at their last resting place, he hastened back, John Macdonald of Boradale accompanying him, to the spot, where they found the purse, but the little purse containing the gold was gone. Having left a boy at this place, who had brought them a present of some milk, they concluded that he must have been the abstracter of the little purse, and proceeding a mile further to the man's house who had sent them the milk, whose name was Gilchrist M'Rath, they, through his means, prevailed upon the boy to return them the purse, from which he had abstracted only a mere trifle. They now hastened to join Charles by another road, who was now in the greatest pain lest they had fallen into the hands of an officer and some privates, who passed the same road that they had gone upon, while he was concealed near by it waiting for their return, so that they found the loss of the purse, by scattering them in the manner it did, had been the mean of saving them from falling into the hands of the enemy.

They now continued their march during the remainder of the night, and on the morning of the twenty-eighth came to a hill above Stathchluanie, where, selecting a fast place, they slept till three o'clock in the afternoon, when they resumed their march, and had the mortification to hear the troops firing on the hill above them upon the poor people, who had in vain fled thither with part of their cattle, in hopes to be beyond the reach of the ruthless soldiery. Holding their way directly north, and ascending a high hill between Glenmoriston and Strathglass, they reached the top of it late at night, where they were obliged to lodge in an open cave, where they could neither lie nor sleep, being completely drenched by the rain that had fallen without intermission during all the preceding day, and having no fuel to make a fire, nor any other way of warming themselves but by smoking tobacco. These comfortless quarters no doubt made the thoughts of France to Charles still more delectable, and about three o'clock of the morning of the twenty-ninth, Glenaladale, his brother, and the Glengary guide, were

again despatched in quest of some person who might conduct him to Pollew, that he might be satisfied fully with respect to the French ships that had been reported to be there. The top of a neighbouring hill was appointed as the place where they should again meet. For this place Charles set out about five o'clock in the morning, and he reached it in about two hours. Here the guide brought them the welcome intelligence, that he had found out some proper persons, by whom he was desired to inform Glenaladale to repair to a cave in the braes of Glenmoriston, called Coiraghath, where they would meet him at an appointed hour with some victuals. They of course repaired to the appointed place, when Charles, whom they had supposed to be young Clanronald, was immediately recognised—for his new friends were his old soldiers—and conducted to a cave, where, after having had something to eat, he was soon lulled asleep by the murmur of a stream that ran through it close by his bedside.

Charles, if we may credit the reports of his friends, was at this time in a most deplorable condition, clothed in old Highland rags, a shirt of the colour of saffron, without one to change it, an old bonnet on his head, tartan hose on his legs, and a pair of tattered brogues tied on his feet with thongs; his looks were haggard with famine, and his frame worn down with fatigue, while an inveterate itch gave him the loathsome aspect of an incurable leper. After resting in this quiet retreat, however, for three days, he felt so refreshed that he imagined himself fit to encounter any hardships. During these three days, two of his attendants observing a party of soldiers passing between Fort Augustus and Strathglass, waylaid some of the officer's servants, who had fallen a little behind the party, fired upon them, and succeeded in carrying off a portmanteau or two, which afforded him the luxury of clean linen.* On the second of August they removed to Coirin-head-bain, where, in a romantic cave, much the same as the former, they remained four days, when, learning that lord Seaforth's factor, a captain of militia, had pitched his camp in their neighbourhood, for the purpose of grazing a large herd of cattle, they moved north

* Home's History of the Rebellion, pp. 184, 185. Scots Magazine for 1746.

to the heights of the Chisholm's country, Strathglass. Here Charles remained three days, being lodged in a sheep cote, having a bed made up for him of turf, with the grassy side up, and a pillow of the same. An express was sent from this place to Pollew, to inquire after the French ships reported to have been seen on the coast. On the ninth they marched through a long and dreary muir towards Pollew, and slept through the night at a sheeling. On the tenth about mid-day they reached Glencanna, passed the day in a neighbouring wood, and at night adjourned to a small village near it. On the eleventh, about two o'clock in the morning, they scrambled to the top of a hill to the north of Glencanna, upon which, and in a neighbouring sheeling, they skulked two days, waiting upon the return of their messenger to Pollew, who at length brought them notice that there was a French ship upon the coast, and that persons belonging to her were in Lochiel's country in search of Charles. This intelligence was to him more grateful than if he had heard of a fleet with twenty thousand men, and upon the thirteenth, crossing the water of Casina, he came south about two o'clock in the morning of the fourteenth to Fassanacoil, in Strathglass, where with his party he was concealed in a wood, none of the people of the place so much as suspecting him to be in the neighbourhood. Being informed here that the search for him in the braes of Glengary, and in Lochiel's country had been nearly given up, and that the troops had returned to their camp at Fort Augustus, Charles set out on the morning of the seventeenth, and by an unfrequented road, came again to the braes of Glenmoriston. Having passed part of this day on the top of a hill, he again commenced his march in the evening, but had gone a very short distance, when he was alarmed with the tidings of a strong party of soldiers being on the heights of Glengary in quest of him, and turned into a sheeling for the night.

Next day, the eighteenth, an express was sent to Loch-airkaig to seek out Clunes Cameron, and desire him to meet Glenaladale at an appointed place, and to the braes of Glengary to bring particular information respecting the party that it had been reported was in pursuit of the pretender. The last of these returned on the nineteenth, with the glad

news that the troops were again withdrawn, and Charles with his company, ten in number, under favour of a thick fog passing through Glenmoriston and Glenlyne, came at night to the braes of Glengary. The water of Garry, swelled by the heavy rains, they were obliged to ford, though it reached to their middles, and proceeding a little further, the night became so dark, that they were under the necessity of halting on the side of a bare hill, without any shelter, though it rained excessively the whole night. The twentieth it still continued to rain, and they travelled till they reached Achnasalt, the place where they expected to meet the messengers they had sent to Lochairkaig. Here they were in a most miserable plight. It rained heavily, and they had no sufficient shelter, and no provisions of any kind. When they were, however, upon the very brink of despair, their messenger returned from Clunes Cameron, directing them to lodge in a wood about two miles from the place where they were, for the night, and he would be with them in the morning. Two of their number being sent to examine the spot pointed out for their lodging, found it to be very sure; they had also the good fortune to meet with a large hart near the place, which they shot, and upon which the party made their supper. Glenaladale having informed Glengary of their arrival at that place, he joined them the same night, and they all rested together; Clunes Cameron joined them next morning, August the twenty-first, and conducted them into a wood at the foot of Lochairkaig, where they abode for that night and the three succeeding days, waiting upon the return of a messenger from Lochiel, who not being recovered of his wounds, could not attend upon Charles at so great a distance, but sent his brother Dr. Cameron to make his apology. Dr. Cameron arrived on the twenty-fifth, and next day, the twenty-sixth, they removed to the wood of Torvuilt, opposite to Achnacarie; Dr. Cameron and Glengary took leave of Charles in the afternoon, in order to avoid awakening suspicion, as did Clunes Cameron, when he had conducted him into his new quarters, which were more permanent than any he had occupied for some time past, for he remained here eight days, and had introduced to him some French gentlemen, who had come over to assist in getting him off the country.

While he was waiting in this place, Charles received a message from Lochiel and Clunie, acquainting him that they were in Badenoch, and that Clunie would meet him on a certain day, and conduct him to their habitation. Charles, too impatient to wait for Clunie's coming, set out immediately with guides for Badenoch, and arrived at a place called Corineuir on the twenty-ninth of August. From this place he proceeded to Mellanauir, where he met with Lochiel, with whom he remained till the return of Clunie, who, according to appointment, had gone to Achnacarie for Charles. He was by these two chieftains, Lochiel and Clunie, conducted to a hut called *Uish Chibra*, where they remained for a day or two, and then removed to Letternilik, a remote place in the great mountain Benalder, belonging to Clunie, called the Cage. It was situated in the face of this very high and rocky mountain, within a small but thick bush of wood. It was floored with rows of trees in place of planks, and growing trees, intermixed with stakes driven into the earth, interwoven with ropes of heath and birch twigs, formed the walls, it being of an oval shape, and thatched over with moss. The whole fabric hung as it were from a large tree, which reclined from the one end to the other, forming the roof-tree. Two projecting stones in the face of the precipice served the purposes of a chimney, and between them the fire was placed, the smoke escaping by the top of the stones along the face of the rock, which was so much of the same colour, that it could not be discerned (so says our account) on the clearest day. It was large enough to "contain six or seven persons, four of whom were for the most part employed playing at cards, one looking on, one baking, and another firing bread and cooking."*

Charles was now, indeed, nearly out of danger. The camp at Fort Augustus was broken up, and only lord Loudon's regiment left in garrison; the militia had delivered up their arms and gone home, and suppose a chance party should come round, he had a safe retreat either to the south or to the north. Under an idea that he was now pretty safe, he sent Glenaladale home to his own country, to wait the arrival of the ships which he expected

* Home's History of the Rebellion, pp. 188, 189.

every day from France, promising, unless he was surprised, to wait the event in the place where he was. On the third of Septembér, Glenaladale took his departure upon this mission, arrived at his own country upon the fifth, where he waited patiently till the fifteenth, when captain Sheridan and lieutenant O'Brown landed from two French vessels that had anchored in Lochnanaugh, with the hope of carrying off Charles, and coming to Glenaladale, expected to have found Charles along with him. Glenaladale most joyfully set out to acquaint Charles that very night, but coming to the place where he had left him, and expected to find him, he was gone. Hearing of the approach of a party of soldiers under the command of Monroe of Culcairn, and captain Grant, Charles had thought it prudent to change his quarters. Cameron of Clunes had been left to wait for and inform Glenaladale, but he too had been obliged by circumstances to retire, without leaving any notice either respecting Charles or himself, so that all was likely still to go wrong. When Glenaladale was in the deepest affliction, not knowing what to do, a poor woman coming accidentally to the spot where he was, informed him of Clunes being in a certain sheel-ing, where he was soon found, and an express sent to Charles, who was now along with Lochiel and Macpherson of Clunie, upon the mountain Benalder, in Badenoch, belonging to Clunie. Glenaladale returned to the ships to prevent them sailing before Charles should arrive. Charles and his company lost no time, but setting out immediately, travelling by night and resting by day, reached Boradale on the nineteenth September. From Glencamgar, on the eighteenth, he sent back the following note to Clunie:—"As you are let into the secret where seven and twenty thousand pounds of our money lies, of which we have taken three thousand along with us, you are hereby ordered by us not to give away one farthing of said sum, till you have particular directions from us in writing. Charles, P. R."

On the twentieth, in Lochnanaugh, the very place where he landed a little more than a year before accompanied by only seven followers, he embarked on board one of the French ships with a retinue of upwards of one hundred men, so that he departed much better accompanied than he came. The same

day he wrote the following letter to Clunie, which is copied from the original in the possession of John Fraser, Esq. *verbatim et literatim*:—"Thanks to God I am arrived safe aboard y^e vessel, which is a very clever one, and has another alongst with her as good. Y^e first is of 86 guns, and y^e second 82. I have spoken to Logary, and his demand for y^e poor Glengarry men, is a hundred and fifty pounds, which I agree shud be given to his brother. For the Magrigers and Stuards, I think, by that proportion will be sufficient to give them a hundred pound apiece; and for Lokel's clan three hundred pounds. This is written in a hurry, and so have not time to explene more particularly. Kepoch's lady shud have a hundred pound. I wish you woud take for your self a hundred pound. All this is only for the present till I can be more at lesure to think of what more shud be necessary to be given. I forgot to speke to you of my things which you have hiden. There is a boxks (which I spoke of alredy to Brecaky) full of rings and also sels [seals], which I have a value for, and woud wish particular care shud be taken of them; as also several other trifels which are also memorandoms, and that makes me put a value upon them. I have nothing more particular to add at present, and so shall end, assuring you of my constant friendship. Charles, P. R.—P. S. I send apart a not of y^e difference you are to give.—For Cluny." Charles with his whole retinue arrived safely at Roscort, near Morlaix, in Britany, and were landed on the twenty-ninth of September, 1746.*

Thus ended an enterprise undertaken contrary to the advice of all who were the most zealous in promoting it, which had been all along carried on without plan, had sometimes put on an appearance of succeeding, not by the wisdom but by the temerity of its leaders, and was relinquished at last, through the childish Inconstancy and incapacity of him on whose behalf it was undertaken, when its prime supporters were more willing to stand by it, and at least as well prepared to do so as when it commenced. No man of ordinary political wisdom would have undertaken it as it was undertaken—

* Home's History of the Rebellion, p. 190. Culloden Papers, vol. ii. p. 562.

and no man of ordinary courage and constancy, having undertaken it, would have abandoned it in the way it was abandoned.

As to the general character of Charles, the reader, we should suppose, will be at no loss to form an opinion from the detail which we have given at large of his actions. He appears to us, indeed, to be one of the most insignificant figures, that at any time has demanded a place on the historic canvass. Nor are we at all singular in this opinion. "He was," says the translator of the work of the chevalier de Johnstone, to which we have often referred in the course of the foregoing narrative, "the nominal head of the enterprise, and his presence was necessary to it; but the remaining with his army seems to have constituted his only merit, and to attribute to him the success at Gladamuir, Clifton, and Falkirk, does not seem a whit more reasonable, than to attribute the victory at Blenheim to queen Anne, or that of Waterloo to George the Fourth."—"As to his patience, resolution, and fortitude," says the same respectable authority, "if we are to believe the reports of those who shared his intimacy, so far from showing fortitude, he was quite unmannered whenever he experienced the least opposition or contradiction." John Hay, his occasional secretary, informs us, "that though he marched on foot at the head of the men all the way to Derby, in the retreat he was obliged to get on horseback, for he could not walk, and hardly stand, as was always the case with him when he was cruelly used!" or in other words, when his own views were not adopted.* "All that we can say," observes the chevalier de Johnstone, "is, that this prince entered on his expedition rashly, and without foreseeing the personal dangers to which he was about to expose himself; that in carrying it on he always took care not to expose his person to the fire of the

* Of this childish impetuosity and waywardness of temper he exhibited a remarkable instance at Falkirk, when the chiefs of his army sent him in a paper containing their resolution for the present to retreat. He was at the time in bed, and when his secretary carried the paper in to him, he read it, and struck his head against the wall till he staggered, exclaiming, "Good God! have I lived to see this." Home's *History of the Rebellion*, p. 135. *Memoirs of the Rebellion*, &c. p. 142. *Note*.

enemy, and that he abandoned it at a time when he had a thousand times more reason to hope for success, than when he left Paris to undertake it." "The character of Charles," says David Hume, "exhibited an unaccountable mixture of temerity and timidity." The lord Marischal, who was well known to be a man of the highest honour and integrity, "thought there was no vice so mean or atrocious of which he was not capable;" and the philosopher Helvetius described him to Hume from personal knowledge, as "the most unworthy of all mortals."

All these unfavourable testimonies, to balance which there has never been produced the smallest tittle of respectable evidence, are abundantly confirmed by the following from the pen of Dr. King, principal of Saint Mary Hall, Oxon; who, from having maintained a correspondence with him for many years, through honourable and distinguished gentlemen who passed backwards and forwards for the purpose of sustaining the very difficult and hazardous intercourse between the exiled court and their friends in England, as well as from several lengthened conversations with him during the five days he spent in London, in the month of September, 1750,—at which time he abandoned, or pretended to abandon the catholic religion, and childishly hoped to raise his friends in England in his behalf, as he had done the Highlanders in 1745, though there was not the smallest preparation made for such an undertaking,—reckoned himself, and probably was, better qualified to draw his character than any man in England.

"As to his person, he is tall and well made, but stoops a little, owing, perhaps, to the great fatigue which he underwent in his northern expedition. He has an handsome face and good eyes—I think his busts, which about this time are commonly sold in London, are more like him than any of his pictures I have yet seen—but in a polite company he would not pass for a genteel man. He hath a quick apprehension, and speaks French, Italian, and English, the last with a little of a foreign accent; as to the rest, very little care seems to have been taken of his education. He had not made the *belles lettres*, or any of the finer arts his study, which surprised me much, considering his preceptors, and the noble opportunities he must have always had in

that nursery* of all the elegant and liberal arts and sciences. But I was still more astonished when I found him unacquainted with the history and constitution of England, in which he ought to have been very early instructed. I never heard him express any noble or benevolent sentiments, the certain indications of a great soul and a good heart—or discover any sorrow or compassion for the misfortunes of so many worthy men who had suffered in his cause.† But the worst part of his character is his love of money, a vice which I do not remember to have been imputed by our historians to any of his ancestors, and is the certain index of a base and little mind. I know it may be urged in his vindication, that a prince in exile ought to be an economist; and so he ought, but nevertheless his purse should be always open, as long as there is any thing in it, to relieve the necessities of his friends and adherents. King Charles II. during his banishment, would have shared the last pistole in his pocket with his little family. But I have known this gentleman, with two thousand louis-d'ors in his strong box, pretend he was in great distress, and borrow money from a lady in Paris, who was not in affluent circumstances. His most faithful servants, who had closely attended him in all his difficulties, were ill rewarded. Two Frenchmen, who had left every thing to follow his fortune—who had been sent as couriers through half Europe, and executed their commissions with great punctuality and exactness, were suddenly discharged, without any faults imputed to them, or any recompense for their past ser-

* "ROME. His governor [James Murray, created by the chevalier earl of Dunbar,] was a protestant, and I am apt to believe purposely neglected his education, of which it is surmised he made a merit to the English ministry; for he was always supposed to be their pensioner. The chevalier Ramsay was prince Charles's preceptor for about a year, but a court faction removed him."

† "As to his religion, he is certainly free from bigotry and superstition, and would readily conform to the religion of the country. With the catholics he is a catholic, with the protestants he is a protestant; and to convince the latter of his sincerity, he has often carried an English prayer book in his pocket, and sent to Gordon, a nonjuring clergyman, to christen the first child he had by Mrs. W." The learned principal evidently meant this as a qualifying treat in the pretender's character. Upon our minds it has an entirely opposite effect.

vice. To this spirit of avarice may be added his insolent manner of treating his immediate dependants, very unbecoming a great prince, and a sure prognostic of what might be expected from him if ever he acquired sovereign power. Sir J. Harrington,* and colonel Goring, who suffered themselves to be imprisoned with him rather than desert him, when the rest of his family and attendants fled, were afterwards obliged to quit his service on account of his illiberal behaviour. But there is one part of his character which I must particularly insist on, since it occasioned the defection of the most powerful of his friends and adherents in England, and, by some concurring accidents, totally blasted all his hopes and pretensions. When he was in Scotland he had a mistress, whose name is Walkenshaw, and whose sister was at that time, and is still housekeeper at Leicester house. Some years after he was released from his prison, and conducted out of France, he sent for this girl, who soon acquired such a dominion over him, that she was acquainted with all his schemes, and trusted with his most secret correspondence. As soon as this was known in England, all those persons of distinction who were attached to him were greatly alarmed; they imagined that this wench had been placed in his family by the English ministers, and considering her sister's situation, they seemed to have some ground for their suspicion; wherefore they despatched a gentleman to Paris, where the prince then was, who had instructions to insist that Mrs. Walkenshaw should be removed to a convent for a certain term; but her gallant absolutely refused to comply with this demand; and, although Mr. M'Namara, the gentleman who was sent to him, and who has a natural eloquence and an excellent understanding, urged the most cogent reasons, and used all the arts of persuasion to induce him to part with his mistress, and even proceeded so far as to assure him, according to his instructions, that an immediate interruption of all correspondence with his most powerful friends in England, and, in short, that the ruin of his interest, which was now daily

* "Sir John Harrington remained in banishment till the accession of the present king, George III. No man is better acquainted with the private history and character of prince Charles; and if ever he reads what I have here written, I am confident that he will readily vouch for the truth of my narrative."

increasing, would be the infallible consequence of his refusal, yet he continued inflexible, and all Mr. M'Namara's entreaties and remonstrances were ineffectual. M'Namara staid in Paris some days beyond the time prescribed him, endeavouring to reason the prince into a better temper; but finding him obstinately persevere in his first answer, he took his leave with concern and indignation, saying as he passed out, "What has your family done Sir, thus to draw down the vengeance of Heaven on every branch of it through so many ages?" It is worthy of remark, that in all the conferences which M'Namara had with the prince on this occasion, the latter declared that it was not a violent passion, or indeed* any particular regard which attached him to Mrs. Walkenshaw, and that he could see her removed from him without any concern, but he would not receive directions in respect to his private conduct from any man alive. When M'Namara returned to London, and reported the prince's answer to the gentlemen who had employed him, they were astonished and confounded. However, they soon resolved on the measures they were to pursue for the future, and determined no longer to serve a man who could not be persuaded to serve himself, and chose rather to endanger the lives of his best and most faithful friends, than part with a harlot, whom, as he often declared, he neither loved nor esteemed. If ever that old adage, *Quos Jupiter vult perdere*, &c. could be properly applied to any person, whom could it so well fit as the gentleman of whom I have been speaking? for it is difficult by any other means to account for such a sudden infatuation.†

* "I believe he spoke truth when he declared he had no esteem for his northern mistress, although she has been his companion for so many years. She has no elegance of manners, and as they had both contracted an odious habit of drinking, so they exposed themselves very frequently, not only to their own family, but to all their neighbours. They often quarrelled, and sometimes fought. They were some of these drunken scenes, which probably occasioned the report of his madness."

† He was soon made acquainted with the defection which immediately followed upon the report of his answer. He endeavoured to excuse himself, by blaming the gentleman who had been sent to him. He pretended the message had not been properly delivered; that he had been treated rudely and insolently, &c. But this was not the case. Mr. M'Namara addressed him in the most respectful manner; and though he spoke firmly, as he knew

He was, indeed, soon afterwards made sensible of his misconduct, when it was too late to repair it; for from this era may truly be dated the ruin of his cause, which, for the future, can only exist in the nonjuring congregations, which are generally formed of the meanest people, from whom no danger to the present government need ever be apprehended.

When Charles took his departure for France, there can be little doubt but that he had a firm, and, as he supposed, well-founded expectation of being furnished with more abundant supplies, and in a short time returning to re-assert his claim to the throne of Britain more effectively than in the present instance he had been able to do. Of this, the leaving behind him twenty-four thousand pounds, may be, and probably was by his friends considered as the certain pledge; and to animate their hopes, and quicken their exertions, the most flattering accounts of his reception by the French king and court, were industriously circulated through the country in every direction. His arrival at Roscort was no sooner known, than the castle of St. Antoine was ordered to be fitted up for his reception; and his brother, who had not yet been honoured with the cardinalship, accompanied by a number of the French nobility, went out to meet and to conduct him to Versailles, where, when he arrived, though the council was then sitting on affairs of the utmost moment, the king, Louis XV. quitted it on the instant to receive him, and as he advanced, took him in his arms with every mark of the tenderest affection, thanking Heaven for the extreme pleasure he felt in seeing him returned in safety, after so many fatigues and dangers, and complimenting him as having united in his person all the great qualities of all the heroes and all the philosophers that had ever existed. By the queen and her attendant ladies, he was received with equal, if not greater tenderness; and so long as he continued to visit the court, which he did twice a week when he was in Paris, till the signing of the preliminaries of peace in 1748, he

the consequence of the prince's refusal, yet he could not have treated him with more deference if he had been on the throne. The prince's accusation of Mr. M'Namara was very unjust, as well as ungrateful; for Mr. M'Namara had been often with him, and had served him with great zeal and fidelity on many important occasions, both at home and abroad.

was often drawn aside by them to detail his adventures, to which they sometimes listened for hours, showing by floods of tears the exquisite sensibility of their hearts. This, however, was all of a private nature, and it was judged necessary that he should, in the character which his father had conferred upon him, that of prince regent of Great Britain, pay his compliments at court in due form. Accordingly, a few days after, he set out for this purpose from the castle of St. Antoine most splendidly attended, in the following order:—

In the first coach went the lords Ogilvy and Elcho, the venerable Glenbucket, and Mr. Kelly, secretary to the young chevalier. In the second the young chevalier himself, lord Lewis Gordon, and Lochiel senior, as master of the horse. Two pages richly dressed lolled on the boot, and ten footmen, in the livery of the character assumed by the young chevalier, walked on each side. The third was occupied by four gentlemen of the bedchamber. The young Lochiel with several gentlemen followed on horseback, making altogether a most splendid appearance, though the chevalier himself took off the attention, says the narrator, from every thing else. “I shall say nothing of his person, and only tell you that he did not entirely trust to the graces it had received from nature for attracting admiration, for his dress had in it, I thought, somewhat of uncommon elegance. His coat was rose coloured velvet, embroidered with silver, and lined with silver tissue. His waistcoat was a rich gold brocade, with a spangled fringe set on in scolops. The cockade in his hat, and the buckles of his shoes were diamonds. The George which he wore at his bosom, and the order of St. Andrew, which he wore also, tied by a piece of green ribbon to one of the buttons of his waistcoat, were prodigiously illustrated with large brilliants—in short, he glittered all over like the star which they tell you appeared at his nativity!! He supped with the king, queen, and royal family; and all who attended him were magnificently entertained at the several tables appointed for them, according to the rank they held under him.”*

To flatter his vanity still more, several new regiments were

* Culloden Papers, vol. ii. pp. 567, 568.

raised purposely, it was said, for his service, and of course they were mostly made up of enthusiastic Scotsmen, who, in the simplicity of their hearts, had expatriated themselves to follow his fortunes. The command of one of these regiments was given for the present to lord Ogilvy, and another to Lochiel. To heighten the expectations of Charles—more truly to alarm the English ministry, and prevent for a time the sending of more troops from Britain to Flanders—these regiments were quartered at Dieppe, Boulogne, and Calais, but they were in a short time, according to their original destination, marched to the Netherlands, where they had next year an opportunity of signalizing themselves at the battle of La Val.

Charles in the meantime amused himself paying visits, attending plays, operas, &c. &c. and after some time made a tour *incog.* as far as Madrid, in which city he spent some days, and in the course of a few months returned to Paris. Here he remained apparently not greatly noticed, sending to and receiving couriers from the various courts of Europe, and sadly annoyed by the conduct of his brother, Henry Benedict Maria Clement, the only legitimate heir of his house, entering into orders, and receiving a cardinal's hat from his holiness at Rome. "He however," it is sagely remarked by the historian of this part of his life, "never allowed his discontent to break out in any disrespectful terms against his father, whose health he continued to drink every day at dinner [why should he have done otherwise?] with the same warmth as ever, but he omitted that of his brother, forbidding all who were about him ever to mention his name in his presence."

He was now, however, beginning really to feel how little influence he was to have on the affairs of Europe. It was evident that peace would be necessary for France, for the sake of which it was not to be thought but they would abandon his interest after all the professions they had made, and if he was to make another attempt upon England, it behoved to be made from some other quarter. It is probable, too, that he had now discovered his error in thinking to seize upon England by possessing himself of Scotland. The money he had left there, however, might be of use to him in any quarter. Accordingly, in the month of February, 1748, a little before the treaty of peace

between France and England was concluded, he sent a Mr. Thomas Kennedy with the following note to Clunie:—"I desire you will give entire credit to what the bearer says to you from me, Charles, P. R." In return to this, we have the following receipt to Clunie, dated the eleventh of July, 1748:—"I, Thomas Kennedy, acknowledge to have received from Clunie Macpherson the sum of three thousand pounds sterling, and that by virtue of a letter or mandat of credit directed to you, bearing date the twenty-ninth of February last, which sum above written shall hold compt to you at the hands of him who signed the above letter or mandat of credit. In witness whereof, I have subscribed the same, this eleventh day of July, 1748, Thomas Kennedy." That there was a plot of some kind carrying on in the Highlands at the same time, is evident from the following note to Clunie, written apparently at or nearly the same date with the above:—"Dear Sir, I refer you entirely to the bearer, B—ie, as to what I've to communicate to yourself, as I find 'tis impossible, but he must be at a great deal of trouble and expense about this affair. I desire you would give him three hundred pounds sterling to indemnify him, till I've time to request it in a proper manner, when I hope his reward will be more considerable, for I really think he deserves it. I told him a great deal, too tedious to mention here, which I desire you will confide in. You shall hear from me in proper time, and am sincerely, &c. &c. Thomas Kennedy."

What was the nature of the business that required so much trouble, and deserved so well to be rewarded, we have been unable to ascertain; but the following letter from Charles would lead us to suppose that he had given up all thoughts of again making an attempt through Scotland:—"Paris, October 14th, 1748, I received *the three saks* [the three thousand pounds] you sent by the bearer, to whom I desire you will give the remainder with all the expedition that's possible. A delay would be of bad consequence, so make all the despatch you can. Charles, P. R. For Cluny Macpherson." To this we have annexed the following receipt:—"Received from Cluny Macpherson three thousand pounds sterling, for the use of his royal highness, Charles, prince of Wales, pursuant to an order that I had

from him to that purpose, as witness my hand, this twenty-first of November, 1748; Thomas Kennedy."

We have thus six thousand pounds sterling of the money Charles left behind him disposed of, besides the hundreds that were to be given to "Logary, Lokel, the Magrigers," &c. The following shows us the fate of an equal sum:—"Sir, My situation is such with regard to haste and danger, which obliges me to go off the country without waiting to see you; please therefore know that I have raised six thousand pounds sterling from the place the prince regent's money lay, and I hereby promise to account to the king and prince for my so doing, as the situation of my nephew's estate and family requires immediate relief at present, otherways be irrecoverably lost, and sunk hereafter in oblivion, for which purpose this money is to be applied. I being in such a hurry, you cannot be surprised at this action of mine, especially as you know I had as much of the trust and charge of that money as you had, or rather more from the person who gave us it in trust. I am, Sir, your most humble servant, Archibald Cameron, Gararie of Drumochtir, 22d of April, 1749.—To Evan Macpherson of Cluny, Esq.)* Five years after this, we have the following in Charles' own handwriting:—"Y^e 21st Sept. 1754. For Clunie Macpherson.—Whereas I have given you directions to bring over with you from Scotland all my effects, it is now my intention, that at your arrival in Paris you deliver all to John Waters, on his receipt, spesifying every individual thing you deliver him; and his said receipt shall be as sufficient as iff I gave one myself. Whatever banc notes you may have, you are to keep by you, for to deliver them to me. As to any bills of exchange, or any quantiti of ready money, you had better place any such in y^e said John Water's hands. As soon as ever I am informed of y^r arrival, shall take measures to lose no time to have the pleasure of seeing you. In y^e meantime be

* Dr. Archibald Cameron was brother to Lochiel. He was excepted by the act of indemnity, and returning to Scotland from Prussia, with an offer of arms to the disaffected Highlanders in 1753, was apprehended, carried up to London, and hanged, upon his attainder, in the month of June that year. *Memoirs of the Reign of George II.*, by the earl of Orford, vol. i. p. 307.

assured of y^e particular regard and friendship I shall always have for you. Charles P."

That Clunie was not altogether satisfied with some of these orders, and that he had made application to the chevalier de St. George, or king James as they called him, respecting the disposal of the money in question, we learn by the following letter, sealed with the arms of Great Britain, and signed with his own hand:—"Albano, Sept. 29th, 1755. I received last week yours of the 8th, which I take well of you. I am well acquainted with your zeal and sufferings, of which you will always find me very sensible. I have perused the paper you send me about the French money sent into Scotland, but as it was sent to and designed as a supply for the prince, I never would enter into what related to that matter, but I shall be always glad to show you the particular regard and consideration I have for you. James R."*

This correspondence, though it does not fully elucidate the subject, throws considerable light upon the attachment of the Highland chieftains to the pretender, and, though it takes somewhat from the romance of their conduct, adds considerably to its rationality. It shows most distinctly that they had room enough for indulging a reasonable hope of being in some measure remunerated for the very large sacrifices they had made, and were still making on the pretender's behalf. They could not certainly contemplate, that while a single individual in the Highlands, who had ruined himself in the cause, was in want, their sweet prince, as they called him, would ever withdraw one farthing of that money from the country, far less that he should peremptorily send for the whole, leaving all his friends alike miserable, more especially at the time when, as we shall see by and by, for gratifying vanity, and indulging spleen, he was sporting an hundred thousand crowns for a superfluous service of plate.

But to return to our narrative. No sooner did it appear to Charles that the treaty of peace was likely to be concluded, and

* The above letters, receipts, &c. were left by an officer in the rebel army, a Macpherson, who went out to India, and never returned. They are now in the possession of Mr. John Frazer, merchant, Glasgow, by whom their contents were kindly communicated to the author.

his interests wholly neglected, than he began to show his contempt for the French court, by appearing more lively and gay than ever, frequenting the opera house and other places of public amusement every evening, and when the discourse happened in his presence to turn upon the congress, which was soon to assemble at Aix la Chapelle, he seemed not to attend to any thing that was said. His visits to Fountainbleau, Choisy, and Versailles, became also much less frequent, and were of much shorter duration than they had formerly been. Private conferences, too, with the king, he seemed on these occasions studiously to avoid.

He had already, upon the French plenipotentiaries repairing to Aix la Chapelle, entered there a protest against any thing that should be concerted to the prejudice of his title and pretensions. The same thing had been done by his father and grandfather on the assembling of every congress since the exclusion of his family, but this that was now entered had an additional clause that had never been in any former one, viz. "that whatever might be insinuated to the contrary, he would never accept of any offers, or enter into any conditions for giving up his claim, which he was determined to maintain by all the means heaven should put in his power, and should reject all such proposals as the acceptance of must oblige him to abandon those who adhered to and depended on him." This was supposed, with great probability, to have been added in consequence of a rumour, that his claims to the British crown were to be bought up by a perpetual yearly subsidy to support him in the dignity of a prince, which title was to be allowed him as a branch of the Sobieski line.* Perhaps it was only a feeble attempt to attract a little notice to his declining cause. It was no doubt with the same view, and particularly to attract the attention of his friends in England, that about this time he ordered a number of medals to be cast, with his head, and this inscription, *Carolus Walia Princeps*, and on the reverse, Britannia and shipping, with this motto, *Amor et spes Britannia*. These medals were cast in silver and in copper, the latter of which were very generally circulated, and the circumstance, it was reported, had given great offence to the French court.

* Lockhart Papers, vol. ii. pp. 569—570.

The treaty of peace containing an article for the removal of Charles from the French territories; it was no sooner signed, than the king wrote to the states of Fribourg in Switzerland in his behalf, desiring they would receive him in a manner becoming his birth, and as a prince that was very dear to him. Charles, however, with an obstinacy, or rather fatuity peculiar to his character, paid apparently no regard to any thing that was going on, and though frequently reminded of the necessity of his departure, he protracted his stay from week to week, as if he had been in perfect ignorance of the matter. He even went the length of ordering new furniture for his house, and, among other splendid novelties, gave an order to his majesty's goldsmith for a service of plate to the value of an hundred thousand crowns, to be ready against a certain day. It so happened that a large order followed immediately from the court, which the goldsmith finding himself unable to execute without disappointing the young chevalier, made the difficulty he was in known to his majesty, who, with the greatest good nature, ordered the stranger to be not only served according to agreement, but that the whole should be paid by the comptroller of his household. The king in all likelihood looked upon this service of plate as bespoken by Charles preparatory to his departure, and waited for a time with patience to see him depart in peace. After having, however, repeatedly warned him of the necessity under which he lay of leaving the dominions of France, offering him a blank order to fill up for his yearly allowance, and even after his father at Rome had been written to to command his departure, Charles still receiving all with the same apparent inattention, it was at last determined that he should be forcibly removed. An order was accordingly signed for this purpose on Monday the tenth of December, 1748, and put into the hands of the duke de Biron, colonel of the French guards, to be executed at farthest against the close of the next day.

His orders being peremptory, the duke de Biron summoned a council of war, consisting of field officers, sergeants, &c. &c. to meet in his own house on the night of Monday the tenth, where all the necessary measures were concerted with ludicrous solemnity. The officers, who were to be employed on the

occasion, were ordered under cover of the night to take possession of the house of monsieur Vaudreuil, a major in the guards, whither the duke himself repaired, carrying along with him, for the purpose of binding the royal prisoner, ten ells of crimson silk cord. In the course of the day, Tuesday, he drew out twelve hundred men of his regiment, with which he invested the palace royal. The serjeants of the regiment, armed with cuirasses and scull-caps, took possession of the passage to the opera house, and of all the entrances to the houses bordering upon it. The sergeants of the grenadiers were selected to be the captors of the chevalier, while the grenadiers themselves took post in the courtyard of the kitchens, under the immediate orders of the duke de Biron, who was there in disguise waiting to see the success of his enterprise. In addition to all this, the mousquetaires had orders to be ready to mount on horseback, the armed police was distributed in all the neighbouring streets, troops were posted all along the road from the palace royal to Vincennes, hatchets and scaling ladders were provided, with a formidable train of locksmiths, in case the chevalier should throw himself into some house, and there determine upon standing a siege, and, as a proper accompaniment to the whole, that both the sick and the wounded might be taken proper care of, Dr. Vernage, an eminent physician, with three surgeons, were in attendance.

These measures were all taken with the utmost precaution and secrecy; yet the fortunate chevalier wanted not intimations of his danger, could he have attended to them. He had numerous notes in the morning, advising him of the whole design. At the Thuilleries too he was advertised of it, and as he passed along the street of St. Honore, a warning voice proclaimed, "Prince, return, they are going to arrest you—the palace royal is beset." But, daring and unadvisable, he rushed upon his fate. Alighting from his coach, at the passage to the opera house he found the guards doubled, with their bayonets fixed, and the armed police turning passengers out of the streets. Six sergeants in gray clothes pressed upon him, as if to take a curious view of his person, while another in uniform advanced, seemingly to chastise their rudeness. This was the preconcerted signal. In an instant two sergeants seized him

by the arms behind, two confined his hands, one clasped him round the middle, and another secured his legs. In this manner they carried him to the gate belonging to monsieur le Matsar, which opened into the courtyard of the kitchen, within which, monsieur Vaudreuil, with his officers, waiting to receive him, said, I arrest you in the name of the king, my master, to which, without any change of countenance, the young hero replied, "The manner is a little too violent." He was then carried into a room upon the ground floor, and ordered to deliver up his arms, which he refused, but with great magnanimity said, they might take them. They took accordingly his sword, a knife with two blades, and a pair of pistols. At the last articles he requested his captors not to be surprised, as he had worn them always since he was in Scotland. Monsieur Vaudreuil in return most politely entreated him not to make any attempt upon his own life, or that of any other person, which he most promptly assured him he would not. The duke de Biron all this while remaining disguised in his coach, was now informed of the happy termination of the first rencounter, and solely, as he said, to prevent him from injuring himself, ordered him to be put in the ropes he had provided. Monsieur Vaudreuil of course, notwithstanding of "terribly menacing glances darted at him" by Charles, proceeded to lace him neatly up in the whole ten yards of crimson silk cord, and thrusting him into a hired coach, placed himself instantly by his side. Opposite to them, in the coach, were placed two officers. Other two mounted on horseback, rode with a hand upon the door on each side of the carriage. Six grenadiers, with fixed bayonets, mounted behind them, and the remainder of the twelve hundred men employed on the occasion, surrounded them on all sides. In this manner they proceeded through the suburb of St. Antoine, while the duke de Biron, descending from his coach, and laying aside his disguise, proceeded to lay before the king the account of the happy execution of a project that seemed surrounded with so many formidable obstacles.

The coach with the chevalier having reached the limits of the suburb of Saint Antoine, was waited for by a detachment of mousquetaires, and having fresh horses put to it, drove with the utmost expedition to Vincennes, nothing being transacted by

the way worthy of notice, except that the chevalier inquired if they were taking him to Hanover. At Vincennes, M. de Chatelet was waiting to receive him, to whom, on his appearance, he exclaimed, "I should be glad to embrace you—come to me my friend, you see I cannot go to you." M. de Chatelet on perceiving his condition, uttered an exclamation of horror, and running up to him, assisted with his own hands to undo the silken bands, though he trembled to that degree he could scarcely stand. He was then conducted to his apartment, up a stair consisting of fifty steps. The furniture of the place consisted of a matted chair, and a wretched camp bed, which he observed, very justly, "was not very magnificent." He was also somewhat alarmed at sundry strange characters he observed traced on the walls of his narrow dwelling, but was quieted by M. de Chatelet, who informed him they were the handywork of a priest who had long occupied the apartment. Vaudreuil observing that his prisoner had not been very strictly searched, M. de Chatelet asked him if he had yet any thing with which he could make an attempt upon himself, when he delivered him a pair of compasses, assuring him upon his word that he had nothing more. The two officers, however, after whispering some time, returned to the charge, and searched him even to the most secret parts of his garments. Finding a pocket book, they took it from him; he, in the meantime, looking most indignantly, but uttering not a word. M. de Chatelet attempting to soothe him, offered him the privilege of an adjoining room, provided he would give his word to take no undue advantage of it. He exclaimed, "No, I shall not give my word. I gave it once already, and it was not taken; I shall therefore give it no more." This was too much for the Frenchman, who cried out he was undone, and falling at his feet, poured out a flood of tears—declaring this to be the most unfortunate day of his life. This again melted the chevalier, who, with great tenderness gave de Chatelet his hand, saying, "I know your friendship for me. I shall never confound the friend with the governor—do the duties of your office." Inquiring what they had done with his people, and finding that they did not choose to give direct answers, he spoke no more of them, and immediately all these bickerings subsided into familiarity and politeness.

While this was transacting with the young chevalier, the lieutenant de police was ordered to his house in Paris, with an hundred and fifty attendants, who broke it up, seized upon every person within, even to the scullion, and carried them off, after having eaten the supper they were preparing for their master. At the same time, Sir David Murray, Sir James Harrington, Mr. Gorin, Mr. Stafford, Mr. Sheridan, and others of the chevalier's adherents, to the number of forty, were arrested in different parts of the town, and conducted to the bastille. His French servants were set at liberty next day, but before leaving Vincennes, Charles ordered them all to be paid off. Messrs. Stafford and Sheridan were released on Friday the thirteenth, in order to their waiting upon him against Sunday morning. The remainder were detained till the nineteenth, when they were all dismissed; Sir James Harrington, and Mr. Gorin being ordered to quit Paris immediately. The others were left to exercise their own discretion.

The confinement of the chevalier himself lasted no longer than till the first Sunday after his arrest, when he was conducted by the captain commandant of the mousquetaires to Port Beauvoisin, a frontier town between France and Savoy, whence he proceeded to Chambray, where he remained three days, and whence he despatched a great number of letters to his agents and correspondents in the different countries of Europe; he then proceeded to Avignon, where don Philip of Spain was in waiting for him, and with whom he spent upwards of a week. He shortly afterwards returned secretly to Paris, where he remained some time, and had several interviews privately both with the king and queen. His residence was after this for the most part in Italy, where he spent his time in the most insipid manner—drinking himself drunk, and fighting by turns with his harlot, as Dr. King denominates her, Mrs. Walkingshaw, and very little regarded by any body. The old pretender, however, still kept up the semblance of a court, for the following graphic description of which, we are indebted to the lively but sarcastic pen of Horace Walpole, who paid it a visit while he was in Rome, not long after this period.

“The English court at Rome was as little free from intestine divisions, as the Hanoverian court at London. The

cardinal of York, whose devotion preserved him from disobedience to his father as little as his princely character had preserved him from devotion, had entirely abandoned himself to the government of an abbè, who soon grew displeasing to the old pretender. Commands, remonstrances, requests, had no effect on the obstinacy of the young cardinal. The father, whose genius never swerved towards compliance, insisted on the dismissal of the abbè. Instead of parting with his favourite, the young cardinal with his minion left Rome abruptly, and with little regard to the dignity of his purple. The holy see, which was sunk to having few more important negotiations to manage, interested itself in the reconciliation, and the haughty young eminence of York was induced to return to his father, but without being obliged to sacrifice his abbè. As I shall not often have occasion to mention this imaginary court, I will here give a cursory picture of it.

“The chevalier de St. George is tall, meagre, and melancholy in his aspect. Enthusiasm and disappointment have stamped a solemnity on his person, which rather creates pity than respect; he seems the phantom which good nature divested of reflection conjures up, when we think of the misfortunes without the demerits of Charles the First. Without the particular features of any Stuart, the chevalier has the strong lines and fatality of air peculiar to them all. From the first moment I saw him, I never doubted the legitimacy of his birth—a belief not likely to occasion any scruples in one whose principles directly tend to approve the dethroning the most genuine prince, whose religion and whose maxims of government are incompatible with the liberty of his country.

“He never gave the world any very favourable impressions of him; in Scotland his behaviour was far from heroic. At Rome, where to be a good Roman catholic it is by no means necessary to be very religious, they have little esteem for him; it is not at home they are fond of martyrs and confessors. But it was the ill treatment of the princess Sobieski, his wife, that originally disgusted the papal court. She, who to zeal for popery, had united all its policy; who was lively, insinuating, agreeable, and enterprising, was fervently supported by that court, where she could no longer endure the mortifications that

were offered to her by Hay and his wife, the titular counts of Inverness, to whom the chevalier had entirely resigned himself. The pretender retired to Bologna, but was obliged to sacrifice his favourites before he could re-establish himself at Rome. His next prime minister was Murray, nominal earl of Dunbar, brother of the viscount Stormont, and of the celebrated solicitor-general [afterwards lord Mansfield]. He was a man of artful abilities, graceful in his person and manners, and very attentive to please. He had distinguished himself, before he was of age, in the last parliament of queen Anne, and chose to attach himself to the unsuccessful party abroad, for whose re-establishment he had co-operated. He was, when still very young, appointed governor to the young princes, but growing suspected by the warm Jacobites of some correspondence with Sir Robert Walpole, and not entering into the favourite project of prince Charles' expedition to Scotland, he thought fit to leave that court, and retire to Avignon, where, while he was regarded as lukewarm to the cause, from his connection with the solicitor-general here, the latter was not at all less suspected of devotion to a court where his brother had so long been first minister.

“The characters of the pretender's sons are hitherto imperfectly known, yet both have sufficiently worn the characteristics of the house of Stuart—bigotry and obstinacy, and want of judgment. The eldest set out with a resolution of being very resolute, but it soon terminated in his being only wrongheaded.

“The most apparent merit of the chevalier's court is the great regularity of his finances, and the economy of his exchequer. His income before the rebellion was about twenty-three thousand a year, arising chiefly from pensions from the pope and from Spain, from contributions from England, and some irregular donations from other courts. Yet his payments were not only most exact, but he had saved a large sum of money, which was squandered on the unfortunate attempt on Scotland. Besides the loss of a crown, to which he thought he had a just title—besides a series of disappointments from his birth—besides that mortifying rotation of friends to which his situation has constantly exposed him, as faction, and piques, and baffled ambition, have driven the great men of England to apply to or

desert his forlorn hopes, he has in the latter part of his life seen his own little court, and his parental affections, torn to pieces, and tortured by the seeds of faction, sown by that master-hand of sedition, the famous Bolingbroke, who insinuated into their counsels a project for the chevalier's resigning his pretensions to his eldest son, as more likely to conciliate the affections of the English to his family. The father and the ancient Jacobites never could be induced to relish this scheme. The boy and his adherents embraced it as eagerly as if the father had really had a crown to resign. Slender as their cabinet was, these parties divided it, and when I was at Rome, lord Winton was a patriot at that court, and the ragged type of a minority, which was comprehended in his single person.”*

Charles, as has been already noticed, came over to London in 1750, where he formally renounced his religion in a chapel in Gray's Inn Lane, with a view to conciliate the people of England; and had he been a man of any abilities, from the factious spirit which at that time reigned in England, he might still have been an instrument of much mischief. Nothing, however, had been preconcerted, and the issue of his adventure was only that he was rendered among his friends still more contemptible, and his cause, of course, more hopeless. His being in England at this time was no secret to the government. The king, George II., was early informed of the circumstance, and sending for lord Holderness, at that time secretary of state, inquired what his lordship thought should be done with him. Lord Holderness had not heard of the circumstance, and not knowing his majesty's views upon the subject, was at a loss for a reply. His majesty perceived his embarrassment, and with great magnanimity relieved him by saying:—“ We shall do nothing to him; when he is weary of England he will go abroad again;” and so he did in the course of a week, leaving no favourable impression behind him. He came over again to witness the coronation of George III. in the year 1760, but does not appear at that time to have excited any attention whatever. This lenity on the part of government probably arose from the knowledge of public opinion in England, which was altogether

* *Memoirs of George II. by lord Orford, vol. i. pp. 249—252.*

against the claims of the Stuarts, for, with regard to Scotland, they acted in a very different manner, seizing upon Dr. Cameron, when he returned to that country in 1753, and hanging him, upon his former attainder, without ceremony.

In 1766, Charles came to Rome on the death of his father, who had lived for many years in a very retired manner. For the last two years of his life he had been confined to his chamber. His last moments were embittered by the mockery of regal forms, and his obsequies rendered ridiculous by the farce of royal observances. His remains, dressed in royal robes, with the crown upon his head, the sceptre in his hand, and upon his breast the arms of Great Britain in gold and jewels, were laid out upon a bed of state in his own parish church. Above him was a throne suspended from the ceiling, on the top of which were the figures of four angels holding the crown and sceptre, and at each corner the figure of death looking down. Over the bed was this inscription, "Jacobus Magnæ Britanniae Rex, anno MDCCLXVI," with medallions in front, representing the several orders of chivalry in Great Britain, the crowns of England, Scotland, and Ireland, &c. &c. The church was illuminated by chandeliers, with skeletons holding wax tapers, and none but Italian princes or British were allowed to enter. After having lain in this manner three days, they were carried in great pomp to St. Peters, and there interred.

The chevalier bequeathed his real estate, amounting to forty thousand crowns a year, exclusive of pensions, to his eldest son, with a box of jewels belonging to the crown of Poland, formerly pledged to the Sobieski family; the jewels of his own family he left to be divided between the two brothers.

Charles, on the death of his father, naturally enough claimed to be acknowledged by the pope as successor to his titles; but this, his holiness, unwilling to embroil himself with the British government, absolutely refused. On this occasion the cardinal de York exerted himself very warmly in behalf of his brother. But the papal government was immovable, refusing to continue even the small pension that had been allowed to his father. Nor would any of the catholic courts allow him the title of king, in consequence of which he assumed the title of count of Albany, and retired to Albano, a residence that had belonged to

his father, where he lived in the most retired manner on a small pension allowed him by his brother.

In 1772, he married the princess Louisa Maximilia de Stolberg Guedern, eldest daughter of Gustavus Adolphus, prince of Stolberg Guedern, by Elizabeth Philipina, daughter of the prince of Hornes, by lady Charlotte Maria Bruce, daughter of Thomas Bruce, earl of Elgin and Ailesbury. She enjoyed a yearly pension of L.2000 from the privy purse of George III. By her Charles had no issue. From the period of his marriage, he resided for the most part in the neighbourhood of Florence. In 1784, he was seriously indisposed, and there being faint hopes entertained of his recovery, the cardinal de York made on that occasion the following protestation respecting his pretensions to the British crown, copies of which were put into the hands of the pope, cardinals, and foreign ministers.

“ We, Henry Maria Benedict Clement, cardinal duke of York, younger son of James III. king of England, &c. &c. Whereas, by advice received from Florence, of date the twenty-third January current, we are on the point of losing the most serene Charles Edward, our very dear brother-german, lawful successor of James III. to the kingdoms of England, France, Sootland, and Ireland, &c. We declare and protest in the most legal form, with all the solemnities possible, and in every other way that may be of utility and advantage, as in duty bound to our royal person, and to our country, to reclaim to ourselves the right of succession belonging to us to the kingdoms of England, &c. in case our most serene brother, (which God forbid,) should be no more; against which cannot be opposed, either before God, or before men, the sacred episcopal character with which we are clothed.

“ And, whereas, in consideration of the critical circumstances of our royal family, we wish to obviate every difficulty that might give us trouble, we mean still to retain the title (which in that event no longer belongs to us) of duke of York, with all the rights thereto annexed, which we have hitherto been in use to do, and that as a title of *incognito*. For this purpose we renew every necessary protestation and declaration, in the manner foressaid, with all possible solemnities. That in retaining (as we do of our own will, and by way of *incognito*) the title

of cardinal duke of York, in similar deeds either public or private, which we have passed or shall pass, after having obtained the foresaid right of succession, we do not prejudice, much less ever renounce our right, and that which we have, and mean to have, and retain always, to the foresaid kingdoms more especially, which belong to us as the true, last, and lawful heir of our royal family, notwithstanding the foresaid title, which we are pleased to retain as a simple *incognito*. Lastly, we expressly declare by the present protest, our will is, that as soon as providence shall have disposed of our person, the rights of succession to the crown of England, &c. should remain in their full force and strength, with the prince to whom the right shall belong by proximity of blood. Such being our will, &c. From the palace of our residence, January 27th, 1784. Henry, Cardinal," &c.

Charles continued to linger on for some time, but never recovered his health. An attack of apoplexy and palsy put an end to his life at Rome, on the thirty-first day of January 1788, in the sixty-eighth year of his age. His remains were carried to Frescati, in the cathedral of which his obsequies were celebrated with great pomp, on the third day of February, the cardinal de York himself going through the office appointed by the church for the dead with great solemnity.

Charles left only one natural daughter, whom he created dutchess of Albany, and legitimated by a deed recorded in the register of the parliament of Paris, September the sixth, 1787. By his will he made this lady his sole heir. To his brother, the cardinal, he gave two thousand ounces of silver: to the chevalier Stuart, his confidential secretary, an hundred ducats, with directions to his heiress to continue their respective apartments to his servants, and to give them annuities for their lives to the value of their wages.

The protestation of the cardinal for his right to the British throne, which had been sealed up under cover, and deposited in the hands of a notary, was now opened at his request, read, and acknowledged. He had also medals struck, bearing on their face his head, with *Henricus Nonus Angliæ Rex*; on the reverse a city, with *Gratia Dei sed non voluntate Hominum*. He shortly after, however, solemnly renounced, as incompatible with his

clerical character, all claims to any title or dignity, except such as he had enjoyed before the death of his brother. Even this meekness and modesty, however, could not save him from that vengeance which had so long been pursuing his unhappy family. He had several benefices in France, Italy, and Spain, and lived many years in great splendour, exempt from the calamities of his unfortunate race. But the storm broke at last, on his devoted head, when age had rendered him less able to bear it. By the French revolution in 1789 he lost church preferments in France to the amount of forty-eight thousand crowns a year. In 1798, when Rome was taken by the French, he was stripped of all his property in Italy, his rich and magnificent palaces at Rome and Frascati having been sacked by these remorseless plunderers. His funds in the Roman bank were also seized upon by them, and he lost the income of his benefices, with ten thousand crowns a year assigned to him out of the Apostolic chamber. It was with difficulty he escaped with life, and his health was deeply injured by the miseries he endured in his flight. He took refuge first at Padua, then at Venice, supporting himself by the sale of a small quantity of silver plate which he had carried along with him, and which was soon exhausted. He died in the month of June, 1807, in the eighty-third year of his age, having for a number of years been solely dependant upon the bounty of George III., who allowed him a yearly pension of four thousand pounds.

Thus terminated the unhappy dynasty of the Stuarts, having enjoyed, or claimed to enjoy, royal honours for upwards of four hundred years—a dynasty to whose weaknesses, and especially to whose misfortunes, history furnishes no parallel. Robert II., the first of the race who ascended the throne, after an unfortunate reign, died of old age, but almost all his successors died violently or prematurely. His immediate successor, Robert III., died of a broken heart for the murder of one beloved son, and the captivity of another. James I., certainly the ablest and the most amiable of the race, returned from a long captivity, only to show how much he had profited in the school of adversity, and to perish by the hands of assassins. His son James II. was killed by the accidental bursting of a cannon at

the siege of Roxburgh, and his foolish grandson, James III., fell by the hands of his enraged and rebellious subjects. The gallant, but rash, romantic, and wanton James IV. sacrificed in an evil hour his own life, and the liberties of his country, on the ill-fated field of Flodden. The equally wanton, and perhaps equally romantic James V. died of chagrin, occasioned by his own folly; and the crimes and misfortunes of his daughter, the beautiful Mary, have been themes for the pen of the historian, the moralist, and the poet, which the genius of better than two centuries has not yet exhausted. The consequential, trifling, pedantic, and persecuting James VI., though he died on his bed, died not without strong suspicions of having been helped to an "Italian posset." The obstinate and prevaricating Charles I. atoned for his murderous and unstable policy, to an usurping faction, with his head. Charles II., after having been restored, as if by miracle, to the throne of his fathers, and after having deluged the land with its best blood, and opened upon it the floodgates of immorality, died also not without suspicions of foul play. James VII., equally obstinate, and more imbecile than any of his predecessors, filled up the measure of the family's iniquity to the brim, and his after life, with that of all his successors, was imbittered by the cup of judgment, which they were condemned to drain, even to the very dregs. Peace be to their ashes: they hold up on the historic page an admonitory example, which it is to be hoped that at least the possessor of one throne, and the inhabitants of one nation, will never forget.

THE HISTORY OF SCOTLAND.

Book XII.

1746—1748.

Further suspension of the Habeas Corpus—Act of attainder—Courts of Oyer and Terminer—Court at St. Margaret's Hill—Trials of the lords Kilmarnock, Cromarty, and Balmerino, &c.—Court at Carlisle—At York—Execution of Charles Ratchliffe—Trial, execution, and character of lord Lovat—Proceedings of parliament—Act of indemnity—Act for disarming and disrobing the Highlanders—Act abolishing heritable jurisdictions, &c.—New parliament—Trial of Archibald Stuart, Esq.—Death and character of president Forbes—General Assembly—Associate Synod, &c. &c.

WHILE the rebellion was thus expiring in the high places of the field, every preparation was making for vindicating the injured rights of the community, and visiting with merited punishment all who had been in any shape accessory to the disturbing of the public tranquillity. For this purpose the *Habeas Corpus* suspension bill was, during the month of April, renewed for another six months, and in the month of June an act of attainder passed against a number of persons who had been active in promoting these disturbances, except they delivered themselves up by the middle of July, to abide the inquest of the laws.* That there might be every facility

* *The following is a List of the persons so attainted.*

Alexander, earl of Kellie,
William, viscount of Strathallan,
Alexander, lord Pittligo,
David Wemyss, Esq. commonly called
lord Elcho, eldest son, and heir appar-
ent of James, earl of Wemyss.
James Drummond, Esq. eldest son, and
heir apparent of William, viscount of
Strathallan,
Simon Fraser, Esq. eldest son, and heir
apparent of Simon, lord Lovat,

George Murray, Esq. commonly called
lord George Murray, brother to James,
duke of Athol,
Lewis Gordon, Esq. commonly called
lord Lewis Gordon, brother to Cosmo,
George, duke of Gordon,
James Drummond, taking upon himself
the title of duke of Perth,
James Graham, late of Duntroon, taking
on himself the title of viscount of
Dundee,

afforded for this purpose, an act had previously been passed, "for the more easy and speedy trial of such persons as have levied, or shall levy war against his majesty, and for the better ascertaining the qualifications of jurors in trials for high treason, or misprision of treason, in that part of Great Britain called Scotland." By this act it was provided, that all offenders already in custody, or who yet might be taken into custody on account of the said rebellion, on or before the first of January, 1747, "may be proceeded against, and the said treasons may be inquired of, heard, and determined, before such commissioners of Oyer and Terminer, or gaol-delivery, and in such counties or shires of this realm as shall be assigned by the king's commission, under the great seal of Great Britain, in like manner as if such treasons had been committed within the counties or shires where they shall be tried as aforesaid." It was also provided by this act, that "in Scotland, in all times hereafter, every person may be summoned and returned to be a juryman in such trials in Scotland, who shall at the time be possessed in his own, or in the right of his wife, of lands or tenements as proprietor or liferenter, within the shire, stewartry, or place where the trial shall be, or whence the jury is to come,

John Nairn, taking upon himself the title or style of lord Nairn,
 David Ogilvie, taking upon himself the title of lord Ogilvie,
 John Drummond, taking upon himself the style or title of lord John Drummond, brother to James Drummond, taking on himself the title of duke of Perth,
 Robert Mercer, Esq. otherwise Nairn of Aldie,
 Sir William Gordon of Park,
 John Murray of Broughton, Esq.
 John Gordon the elder, of Glenbucket,
 Donald Cameron the younger, of Lochiel,
 Doctor Archibald Cameron, brother to Donald Cameron the younger, of Lochiel,
 Ludovick Cameron of Tor castle,
 Alexander Cameron of Dungallon,
 Donald Macdonald of Clanronald, junior, son to Ronald Macdonald of Clanronald,
 Donald Macdonald of Lochgarie,
 Alexander Macdonald of Keppoch,
 Archibald Macdonald, son of colonel Macdonald of Barrisdale,
 Alexander Macdonald of Glencoe,
 Evan Macpherson of Clunla,

Lauchlan Maclauchlan of castle Lauchlan,
 John Mackinnon of Mackinnon,
 Charles Stewart of Ardschiel,
 George Lockhart, eldest son, and heir apparent of George Lockhart of Carnwath,
 Lawrence Oliphant the elder, of Gask,
 Lawrence Oliphant the younger, of Gask,
 James Graham the younger, of Airth,
 John Stewart, commonly called John Roy Stewart,
 Francis Farquharson of Monaltry,
 Alexander Macgillivray of Drumaglash,
 Lauchlan Macintosh, merchant at Inverness,
 Malcolm Ross, son of Alexander Ross of Pitcalny,
 Alexander Macleod, son to master John Macleod, advocate,
 John Hay, portioner of Restalrig, writer to the signet,
 Alexander Lumedale, otherwise Lumsdain, son to William Lumedale, otherwise Lumsdain, writer in Edinburgh, and
 William Fidler, clerk in the auditor's office in the exchequer of Scotland.

of the yearly value of forty shillings at least, or valued at thirty-six shillings sterling *per annum* in the tax roll of the same shire or stewartry."

Though these regulations were made respecting trials for treason in Scotland, it was not the intention of government to bring any of the rebels to trial there, where they probably believed that it would be impossible to have a single individual of them convicted, but by this means they had it in their power to try them where they found it most convenient, and on the seventh of June a precept was signed by the lords chief justices, chief barons, and several of the judges in Westminster hall, to the sheriff of Surrey, to summon a jury to appear at St. Margaret's Hill, Southwark, on the twenty-third of June, to try several rebels, prisoners there. Accordingly, on that day, eight of the judges went in procession from Serjeant's Inn, Chancery lane, to the Town Hall of St. Margaret's Hill, where was opened the special commission for the trial of the rebels. The jury being charged by the chief justice Lee, withdrew, and in an hour and a half returned, having found a true bill against William, earl of Kilmarnock, George, earl of Cromarty, and Arthur, lord Balmerino, for high treason, in levying war against his majesty. The grand jury met again on the twenty-fifth and twenty-sixth, on which days they found bills of indictment against thirty-seven rebels, officers taken at Carlisle, who were brought from Newgate to the court at St. Margaret's Hill, and, after answering to their names, committed to the new gaol of Southwark. On the twenty-eighth they received copies of their indictments, were arraigned on the third of July, when, pleading for time to bring up their witnesses, all of whom, it was alleged, were either in Scotland or Lancaster, their trials were put off—the English till the fifteenth, and the Scots till the twenty-fifth. The court accordingly sat again on the fifteenth, sixteenth, seventeenth, and eighteenth, when seventeen persons belonging to the Manchester regiment were found guilty, and on the twenty-second received the awful sentence which the law has awarded to the crime of high treason, which was executed in all its extent upon nine of them on the twenty-ninth.*

* London Magazine for 1746.

Though the twenty-fifth had been appointed for the trial of the Scottish prisoners, against whom bills had been found along with the above, their trials did not come on till the thirty-first, when the court sat again at St. Margaret's Hill, and passed sentence upon James Nicolson, from Leith, Donald Macdonald, a captain in Keppoch's regiment—who, having taken and mounted a fine horse, belonging to an English officer, at the battle of Falkirk, when the retreat of the king's troops commenced, was carried off by the horse, which followed his companions, and by this means fell into the hands of the enemy—Alexander Macgrouter, a lieutenant in Perth's regiment, and Walter Ogilvy, a lieutenant in lord Lewis Gordon's. James Straton, who had acted as surgeon to the garrison of Carlisle, was acquitted. Macgrouter received a reprieve. His three companions were executed on Kennington common, on the twenty-second of August.

The house of peers being informed that bills had been found against the three lords, Cromartie, Balmerino, and Kilmarnock, directed that a writ of *certiorare* should be issued for bringing the said indictments before them. On the twenty-fourth of June, a committee of the house, assisted by the three chief judges, was appointed to search for precedents in regard to the trial of peers for high treason. The report of this committee was received on the twenty-seventh, when their lordships appointed the three rebel peers to be tried on Monday the twenty-eighth of July, Kilmarnock at nine o'clock, Cromartie at ten, and Balmerino at eleven. It was also ordered, that every peer who was entitled to sit and vote in parliament should attend at the trial. This order was affixed on the doors of the house, and of Westminster hall, and published in the London Gazette twenty days previous to the trial. An address was also voted to his majesty, praying him to appoint a high steward for the occasion, and that Westminster hall might be fitted up for their reception. Counsel was also, at the request of the rebel lords, appointed for them, viz. Mr. George Ross for Kilmarnock and Balmerino, and for Cromartie, Mr. Adam Gordon.

Westminster hall being prepared according to the request of the lords, and Philip lord Hardwicke, chancellor of Great Britain, appointed lord high steward, the court was constituted with

all due formality, on Monday the twenty-eighth of July, present one hundred and thirty-six peers, when proclamation was made by the sergeant at arms for the lieutenant of the Tower to return the precept to him directed, with the bodies of the prisoners, which done, the prisoners were brought to the bar, having the axe carried before them by the gentleman gaoler, the edge turned from them. Compliments over between the court and the prisoners, the lord high steward, after moving for and obtaining leave, advanced forward, the better to hear and be heard. Kilmarnock's indictment was then read, to which his lordship pled guilty; Cromartie's was next read, who did the same, and both cast themselves upon his majesty's mercy. Balmerino, when his indictment was read, instead of pleading guilty or not guilty, as the English form requires, asked the lord high steward if it would be of service to him to prove that he was not present at the siege of Carlisle, for that he was ten miles distant at the time specified in the indictment. His grace answered, that it might or might not be of service to him according to circumstances, but observed to the lords, that it was contrary to form to allow the prisoner to ask any questions before he pleaded, and desired him to plead. Balmerino answered, that he was pleading as well as he could; the lord high steward explained to him what was meant by pleading, and his lordship pled not guilty. The king's counsel was then heard, after which four witnesses were examined, by whom it was proved, that his lordship with his sword drawn entered Carlisle, though not on the day specified in the indictment, at the head of a regiment of horse, called by his name Elphinstone's horse. The lord high steward then asked him if he had any thing to offer in his defence, or if he would call any witnesses to invalidate the evidence that had been brought forward on his majesty's behalf. To this he replied, "that he was sorry he had given their lordships so much trouble, and had nothing farther to say, only as he was not at Carlisle when the rebels took possession of it, and the indictment charging him with being at Carlisle expressly at that time, he could not be guilty of that indictment."

On the motion of a noble peer, the lords now adjourned to their own house, where, after considerable debate, it was agreed

that the opinion of the learned judges should be taken on the point the prisoner had objected to in regard to the indictment. Their lordships having returned to Westminster hall, the point in question was put to the judges, who were unanimously of opinion, that as an overt act of high treason, and other acts of treason had been clearly proved, there was no occasion to prove explicitly all that was laid in the indictment. Silence being then called, and the bishops, as is common in such cases, having with the leave of the house withdrawn, the lord high steward, beginning at the youngest, and calling the peers by their names one by one, asked the question, Is Arthur lord Balmerino guilty of high treason or not? He was answered by each laying his right hand upon his left breast, Guilty, upon my honour, my lord. The earls of Cromartie and Kilmarnock were now brought into court, when, along with Balmerino, they were informed by the lord high steward, that if any of them had any thing to move in arrest of judgment, they must come prepared to do so on the Wednesday following, at eleven o'clock, till which time the court was adjourned. The prisoners were remanded to the Tower, the axe carried before them; and, as they were now found guilty, with its edge turned toward them.

On Wednesday, July the thirtieth, the court again met, when the three unfortunate lords were placed at the bar, and the high steward, addressing each of them individually, desired to know what they had to say why judgment of death should not be passed upon them. The lords Kilmarnock and Cromartie made each of them a most moving speech, full of penitence; and imploring their lordships to intercede with his majesty for the extension of mercy towards them;* but lord

* The following are the speeches of these two noble lords. The first did not gain the object aimed at; but they are both worthy of preservation, from the affecting views which they present of late repentance, and unavailing regret.

The Earl of Kilmarnock's Speech.

" May it please your grace, and my lords,

" I have already, from a due sense of my folly, and the heinousness of those crimes with which I stand charged, confessed myself guilty, and obnoxious to those punishments which the laws of the land have wisely provided for offences of so deep a dye. Nor would I have your lordships to

Balmerino, addressing himself to the lord high steward, produced a paper, desiring it might be read. Being told that he was at liberty to read the paper, his lordship said his voice was too low, and that he could not read it so well as he could wish;

suspect, that what I am now to offer, is intended to extenuate those crimes, or palliate my offences. No, I mean only to address myself to your lordships' merciful disposition; to excite so much compassion in your lordships' breasts, as to prevail on his grace, and this honourable house, to intercede with his majesty for his royal clemency.

"Tho' the situation I am now in, and the folly and rashness which has exposed me to this disgrace, cover me with confusion, when I reflect upon the unsullied honour of my ancestors; yet I cannot help mentioning their unshaken fidelity, and steady loyalty to the crown, as a proper subject to excite that compassion which I am now soliciting. My father was an early and steady friend to the revolution, and was very active in promoting every measure that tended to settle and secure the protestant succession in these kingdoms. He not only in his public capacity promoted these events, but in his private supported them; and brought me up, and endeavoured to instil into my early years those revolution principles, which had always been the rule of his actions. It had been happy for me, my lords, that I had been always influenced by his precepts, and acted up to his example. Yet I believe, that on the strictest inquiry, it will appear that the whole tenor of my life, from my first entering into the world, to the unhappy minute in which I was seduced to join in this rebellion, has been agreeable to my duty and allegiance, and consistent with the strictest loyalty.

"For the truth of this, I need only appeal to the manner in which I have educated my children; the eldest of which has the honour to bear a commission under his majesty, and has always behaved like a gentleman. I brought him up in the true principles of the revolution, and an abhorrence of popery and arbitrary power. His behaviour is known to many of this honourable house, and therefore I take the liberty to appeal to your lordships, if it is possible that my endeavours in his education would have been attended with such success, if I had not myself been sincere in those principles, and an enemy to those measures which have now involved me and my family in ruin? Had my mind at that time been tainted with disloyalty and disaffection, I could not have dissembled so closely with my own family, but some tincture would have devolved to my children.

"I have endeavoured, as much as my capacity or interest would admit, to be serviceable to the crown on all occasions; and even at the breaking out of the rebellion, I was so far from approving their measures, or showing the least proneness to promote their unnatural scheme, that, by my interest in Kilmarnock and places adjacent, I prevented numbers from joining them, and encouraged the country, as much as possible, to continue firm to their allegiance.

"When that unhappy hour arrived in which I became a party, which was

on which the lord high steward gave orders for one of the clerks of parliament, who, standing within the bar close by the prisoner, read the paper, which was to the following effect:—That an indictment could not be found in the county of Surrey for

not till after the battle of Preston, I was far from being a person of any consequence amongst them. I did not buy up any arms, nor raise a single man in their service. I endeavoured to moderate their cruelty, and was happily instrumental in saving the lives of many of his majesty's loyal subjects, whom they had taken prisoners. I assisted the sick and wounded, and did all in my power to make their confinement tolerable.

"I had not been long with them before I saw my error, and reflected with horror on the guilt of swerving from my allegiance to the best of sovereigns, the dishonour which it reflected upon myself, and the fatal ruin which it necessarily brought upon my family. I then determined to leave them, and submit to his majesty's clemency, as soon as I should have an opportunity. For this I separated myself from my corps at the battle of Culloden, and staid to surrender myself a prisoner; though I had frequent opportunities, and might have escaped with great ease. For the truth of which I appeal to the noble person to whom I surrendered.

"But, my lords, I did not endeavour to make my escape; because the consequences in an instant appeared to me more terrible—more shocking than the most painful or ignominious death. I chose therefore to surrender, and commit myself to the king's mercy, rather than to throw myself into the hands of a foreign power, the natural enemy of my country; with whom, to have merit, I must persist in continued acts of violence to my principles, and of treason and rebellion against my king and country.

"It is with the utmost abhorrence and detestation I have seen a letter from the French court, presuming to dictate to a British monarch the manner he should deal with his rebellious subjects. I am not so much in love with life, nor so void of a sense of honour, as to expect it upon such an intercession. I depend only on the merciful intercession of this honourable house, and the innate clemency of his sacred majesty.

"But if, my lords, if all I have offered is not a sufficient motive to your lordships to induce you to employ your interest with his majesty for his royal clemency in my behalf, I shall lay down my life with the utmost resignation; and my last moments shall be employed in fervent prayers for the preservation of the illustrious house of Hanover, and the peace and prosperity of Great Britain."

The following, which is still more pathetic, was made by the earl of Cromartie.

"My lords,

"I have now the misfortune to appear before your lordships, guilty of an offence of such a nature, as justly merits the highest indignation of his majesty, your lordships, and the public; and it was from a conviction of my guilt, that I did not presume to trouble your lordships with any defence. As I have con-

a crime said to have been committed at Carlisle, in December last, while the act ordaining the rebels to be tried in such counties as his majesty should appoint, was not passed till March, and could not have a retrospective power. On the

mitted treason, it is the last thing I would attempt to justify. My only plea shall be your lordships' compassion—my only refuge his majesty's clemency. Under this heavy load of affliction, I have still the satisfaction, my lords, of hoping that my past conduct, before the breaking out of the rebellion, was irreproachable as to my attachment to the present happy establishment, both in church and state; and in evidence of my affection to the government upon the breaking out of the rebellion, I appeal to the then commander-in-chief of his majesty's forces at Inverness, and to the lord president of the court of session in Scotland, who, I am sure, will do justice to my conduct upon that occasion. But, my lords, notwithstanding my determined resolution in favour of the government, I was unhappily seduced from that loyalty, in an unguarded moment, by the arts of desperate and designing men. And it is notorious, my lords, that no sooner did I awake from that delusion, than I felt a remorse for my departure from my duty, but it was then too late.

"Nothing, my lords, remains, but to throw myself, my life, and fortune, upon your lordships' compassion. But of these, my lords, as to myself, is the least part of my sufferings. I have involved an affectionate wife, with an unborn infant, as parties of my guilt, to share its penalties—I have involved my eldest son, whose infancy and regard to his parents hurried him down the stream of rebellion—I have involved also eight innocent children, who must feel their parent's punishment before they know his guilt. Let them, my lords, be pledges to his majesty—let them be pledges to your lordships—let them be pledges to my country for mercy—let the silent eloquence of their grief and tears, let the powerful language of innocent nature supply my want of eloquence and persuasion; let me enjoy mercy, but no longer than I deserve it, and let me no longer enjoy life than I shall use it to deface the crime I have been guilty of. Whilst I thus intercede to his majesty through the mediation of your lordships for mercy, let my remorse for my guilt as a subject, let the sorrow of my heart as a husband, let the anguish of my mind as a father speak the rest of my misery. As your lordships are men, feel as men; but may none of you ever suffer the smallest part of my anguish.

"But if after all, my lords, my safety shall be found inconsistent with that of the public, and nothing but my blood can atone for my unhappy crime; if the sacrifice of my life, my fortune, and family, is judged indispensably necessary for stopping the loud demands of public justice, and if the bitter cup is not to pass from me, *not mine, but thy will, O God, be done!*"

This speech, which deeply affected their lordships, together with the intercessions that were made for him, saved his lordship's life. He was condemned, as above, with his two companions in crime, but the sentence was not executed; in 1748, he was allowed to leave the Tower, and to lodge at the house of a messenger. In the following August he was permitted to go

motion of earl Granville, the lords adjourned to their own house, where, after some debate, it was agreed that his lordship should have counsel allowed him to argue the case, for which purpose the court was adjourned till next day, the prisoners being carried back to their confinement, with the axe carried before them in the same manner as on the former occasion.

On the first of August, the court being set, and the prisoners presented at the bar, lord Balmerino was asked if he was ready, by his counsel, to argue the point he had proposed to the court the day before. He replied, that having been told by his counsel his objection was not sufficient to found an arrest of judgment upon, he now withdrew it, craving their lordships' pardon for giving them so much trouble, and submitted himself to the court. The lords Cromartie and Kilmarnock having done the same, and silence being proclaimed, the lord high steward, after an eloquent speech, in which he enlarged upon the excellence of the British constitution, the blessings attending the reign of his present majesty, the wickedness and the madness of the late rebellion, &c. &c. pronounced the sentence which the law has awarded against the crime of high treason; after which he took the white rod, with both his hands, broke it in two, and declared his commission at an end. The lords then returned to the chamber of parliament, and the prisoners, after partaking of a cold collation provided for them, were carried to their former places of confinement, the axe still accompanying them as before. They showed no symptoms of dejection, and the populace behaved with more decency than on some former occasions.

Petitions were presented in the name of William, late earl of Kilmarnock, to the king, to the prince of Wales, and to the duke of Cumberland, in which every argument was brought forward that could be supposed to have any influence in extenuating his lordship's crime, and to vindicate him from some reports that had gone abroad—very unjustly we believe—of his having been accessory to several acts of wanton and unnecessary

into Devonshire; and in the month of October, 1749, a pardon passed the seals for him, on condition that he should remain in such place as his majesty should appoint. He died in London, 1766.

cruelty when along with the rebels; but he was not considered to be a proper object of the royal mercy. Every exertion was also made in behalf of the earl of Cromartie. His lady, the day after he was sentenced, went with petitions to the lords of the cabinet council, and next day, August the third, being the Sabbath, she went to Kensington in deep mourning, and throwing herself on her knees before the king, as he was going into the chapel, took hold of the hem of his coat, and in the act of presenting him a petition, fainted away. His majesty raised her up with his own hand, took her petition from her, and gave it to the duke of Grafton, who was behind him; he also desired lady Stair, who accompanied lady Cromartie, to carry her to an apartment where she might be taken care of. The dukes of Hamilton and Montrose, the earl of Stair, and several others, also interceded with the king on his behalf, and on the ninth of the month he received a reprieve. Lord Balmerino having been pardoned before, could have little hopes of mercy, and it does not appear that he made any applications for it.

On the eleventh of the month, an order was signed in council for the execution of the earl of Kilmarnock and lord Balmerino, on Tower hill, Monday the eighteenth; and on the twelfth, writs passed the great seal, to empower the lord Cornwallis, constable of the Tower, to deliver their bodies to the sheriffs of London on that day for execution. This melancholy result was communicated to lord Kilmarnock the same day, by Mr. Foster, a dissenting clergyman, whom his lordship had called to assist him in his devotions during the few days that remained to him. These few days he entirely devoted to his spiritual interests. Deeply impressed with the enormity of the crime for which he was to suffer a violent death, as well as with the careless and dissipated tenor of his previous life, his lordship seems to have had nothing in view but how he might best testify the sincerity of his repentance, and repair, as far as was in his power, the mischief that might have followed from his pernicious example. The week previous to his execution, he had the sacrament twice administered to him, and his appearance on the day of his execution was every way suitable to his unhappy situation. He was apparently sensible of his guilt, sincerely repentant,

resigned, calm, and composed. At ten o'clock, he was brought from the Tower along with lord Balmerino—who meeting him at the foot of the Tower stair, said, “My lord, I am heartily sorry to have your company upon this expedition,”—to the late transport office on Tower hill, near the scaffold, where they had separate apartments prepared for them. The procession was on foot, lord Kilmarnock being accompanied by Mr. Foster, and the Rev. Mr. Home; lord Balmerino by the chaplain of the Tower, and another minister. Lord Kilmarnock particularly recommended it to the sheriff’s observance, “That he declared himself a protestant, and thoroughly satisfied with the legality of his majesty king George’s title to the throne of these realms; that he himself was educated in these principles, and had constantly adhered to them till after the breaking out of the rebellion, which he heartily repented he ever engaged in, and that he prayed for the good of his country, and for the continuance of the crown in his majesty and his descendants till the latest posterity.”

About eleven o'clock, at lord Balmerino’s desire, he had an interview with that nobleman, who asked him, “If he knew any thing of an order being made before the battle of Culloden, that no quarter should be given to the army of the duke of Cumberland?” adding, “that he himself knew nothing of any such order.” Lord Kilmarnock declared that he knew nothing of any such order, though he had heard, after being made prisoner, that such an order, signed George Murray, had fallen into the hands of the duke of Cumberland immediately after the battle. The two unfortunate lords then saluted each other; and lord Balmerino bidding lord Kilmarnock an eternal happy adieu, added with a cheerful countenance, “My dear lord, I wish I could alone pay the reckoning, and suffer for us both;” to which lord Kilmarnock replied, “’twas exceedingly kind and generous in his lordship.” He then with his own company kneeled down to prayer, Mr. Foster performing the office, after which he refreshed himself with a bit of bread and a glass of wine, and at twelve o'clock proceeded to the scaffold, where, having saluted and taken leave of his friends, he was introduced to the executioner, to whom he gave a purse of gold, desiring him to

have courage, and informing him, that the signal for him to perform his office would be the dropping of his handkerchief. Having then prepared himself, by throwing off his coat, tucking up his hair, &c. he knelt down at the block—prayed with great fervency for a few minutes—dropped the signal, and the executioner at one blow severed his head from his body. The head was received into a piece of scarlet cloth, and with the body deposited in a coffin, and given to his lordship's friends. His lordship was in his forty-second year. In person he was tall and graceful, his countenance kind and placid, though his complexion was pale, and the propriety of his deportment, in such unhappy circumstances, excited an uncommon degree of sympathy in his favour.*

The executioner, who was dressed in white, being nearly covered with the blood that flew over him, immediately retired to shift his clothes; the scaffold in the meantime was cleared, and strewed with fresh sawdust. The under sheriff then waited on lord Balmerino, upon whose entrance his lordship said, I suppose my lord Kilmarnock is no more; and having asked how the executioner had performed his duty, said, upon receiving the account, Then it was well done. And now, gentlemen, I will detain you no longer, for I desire not to protract my life. His lordship then saluted the company, in a manner so cheerful as drew tears from every eye but his own, and hastened to the scaffold. From the time that sentence was passed upon him, to the time it was executed, lord Balmerino showed symptoms neither of fear nor repentance. Some days before his execution, being asked in what manner he would go to the scaffold, he answered, he would go in the regimentals which he wore when he was first taken, and that he would have a woollen shirt next his skin, which would serve him instead of a shroud, to be buried in. Being then asked why he would not have a new suit of black, he replied, it would be thought very imprudent in a man to repair an old house, when the lease of it was near expiring—for the lease of his life would expire next

* Account of the behaviour of William, earl of Kilmarnock, &c. &c. by James Foster. Life of William, earl of Kilmarnock, &c. &c.

Monday. When delivered to the sheriffs at the Tower, the lieutenant, as is usual on such occasions, said, God bless king George ! Balmerino said, God bless king James ! He mounted the scaffold dressed in the clothes he wore at Culloden, and with a step so undaunted, as surprised every spectator. Walking round the scaffold, he bowed to the spectators, read the inscription on his coffin, said it was right, and with seeming pleasure looked at the block, which he called his pillow of rest. He then called for the executioner, who being introduced, was about to ask forgiveness, when his lordship prevented him, saying, Friend, you need not ask me forgiveness ; the execution of your duty is commendable. He then presented him with three guineas, adding, Friend, I never had much money ; this is all I have. I wish it was more, for your sake, and am sorry I can add nothing else to it but my coat and waistcoat, which he instantly took off, and laid upon his coffin. He then prepared himself for the block, by putting on a flannel waistcoat that had been made for the occasion, and a plaid nightcap ; after which he went to the block, in order to show the executioner the signal for the blow, which was to be the dropping down of his arms. Returning to his friends, he took a last farewell of them ; and, looking once more upon the immense crowd of spectators, said, I am afraid there are some who may think my behaviour bold ; and to a gentleman near him, added, Remember, Sir, what I tell you, it arises from a confidence in God, and a clear conscience. He then took the axe from the executioner, and having felt its edge, returned it to him, showing him at the same time where to strike the blow, and animating him to do it with resolution, for in that, Friend, said he, will consist your mercy. His lordship then, with the same unruffled countenance, kneeled down at the block, and having, with arms extended, said, " O Lord, reward my friends, forgive my enemies ; bless king James, and receive my soul ! " gave the signal, and received the fatal blow ; which, though it was not powerful enough to sever the head from the body, deprived him of all sensation. After the first blow, his lordship's head fell back upon his shoulders ; but being severed at two more blows, it was, as lord Kilmarnock's had been, received in a piece of red cloth, and with his body deposited in his coffin, and delivered

to his friends.* In person, lord Balmerino was strong made but clumsy, having no marks of the polite gentleman about him, but possessing, at the same time, a seeming sincerity, which more than recompensed all his defects. He left no children; and in him that branch of the Elphinstone family became extinct.

On the twenty-third of August, bills were found by the grand jury against twenty persons, and several others were at different times added to the list, all from Scotland, a number of them, John, lord Macleod, Sir John Wedderburn, collector of excise for the pretender, Sir James Kinloch, William Murray of Taymount, brother to lord Dunmore, colonel Farquharson, Ker of Gradon, &c. &c. persons of distinction, whose trials were continued from time to time, till the month of November. Lord John Macleod,† and Murray of Taymount, pled guilty when

* Account of the behaviour of William, late earl of Kilmarnock, and Arthur, lord Balmerino, &c. &c. published by authority of the sheriffs, by T. Ford. Life of Arthur, lord Balmerino, &c. &c.

† The following is the very impressive speech of lord Macleod when he pled guilty before the court at St. Margaret's Hill, December the twentieth, 1740:—"My lords, I stand indicted for one of the most heinous of all crimes, that of rebellion and treason, against the best of kings, and my only rightful lord and sovereign. Would to God, my lords, I could plead not guilty to the charge. But as I cannot, I beg leave to assure your lordships, my heart never was consenting to the unnatural and wicked part I then acted. Remember, my lords, my youth; and that I am in that state of life, when an unhappy father's example is almost a law. But my heart is full, from the deep sense I have of his miseries and my own; and I shall only add, that as I must, and do plead guilty to the charge, if on your lordships' kind representation of my case, his majesty shall think fit in his great goodness to extend his compassion to me, what of future life or fortune I may ever have, shall be entirely devoted to his majesty, on whose mercy I now absolutely throw myself."—This request was with great propriety listened to; a pardon passed the great seal in his favour, January the twenty-sixth, 1748. He went into the service of the king of Sweden, by whom he was created count Cromarty, and made one of the commandants of the order of the sword, with which he was invested by George III. December the ninth, 1778, at the request of his Swedish majesty. He had previously returned to Britain, and in 1777, raised two battalions of Highlanders, with whom he served in the East Indies, where he had the local rank of major-general, and greatly distinguished himself. He had the rank of major-general in the army bestowed on him in 1782, returned home, and had the family estates restored to him by act of parliament, on payment of nineteen thousand pounds sterling of debt affecting

arraigned, and were both pardoned; and though twenty of the others were condemned, five only were executed. But besides those that were carried to London, a great many of the Scottish rebels were carried to Carlisle, where a commission of Oyer and Terminer was opened on the twelfth of August. The number of rebel prisoners at this place was three hundred and eighty-five. The common men were indulged the drawing of lots, one in twenty to be tried, and nineteen to be transported. Some of them, however, rather than submit to the lot, chose to risk a trial, and such as were charged with peculiar degrees of guilt, were not allowed the benefit of it. The proceedings of this court were considerably retarded by the witnesses from Scotland refusing to be sworn in the manner practised in the English courts, which presbyterians have at all times declared to be superstitious, and it was not till after much wrangling, that the judges consented to their being sworn according to the plain and simple form of their own country. Bills were found by the grand jury against one hundred and nineteen persons, each of whom had a copy of his indictment, was desired to choose his own counsel, and informed that subpoenas would be made out gratis, to bring forward what exculpatory witnesses he thought proper, and the trial fixed for the ninth of September, till which day the court was adjourned.

Pursuant to adjournment, the court again met on the ninth of September, on which, and the two following days, the greater part of the one hundred and nineteen pannels were arraigned. One of them, Samuel Clarke, an Englishman, had been tried on a separate indictment for felony, and hanged, before the court met. Another, Charles Douglas, pled his peerage as lord Mordington, which was sustained by the judges, and he was remanded back to prison.* Eleven pled guilty when arraigned, thirty-two when brought to trial; thirty-seven were convicted, thirty-six were acquitted, and five were not tried for want of evidence. A few, who had been confined in the county gaol upon suspicion, were set at liberty.

the property. He died at Edinburgh, April 2, 1789, in the sixty-second year of his age.

* London Magazine for 1746.

A court of the same kind sat at York, from the second to the seventh of October, during which days, seventy persons, most of them by their own confession, were found guilty, and sentenced to suffer death. Out of eighty who drew lots, seventy-six were transported.* Of the seventy condemned at York, twenty-two were executed, all of whom behaved with decency, but acknowledged no crime, having justified their treason to the last. Of those that were condemned at Carlisle, ten were ordered to be executed at Carlisle on the eighteenth, ten at Bampton on the twenty-first, and ten at Penrith on the twenty-eighth of October. Among the ten executed at Carlisle, were—besides Cappock, the pretender's bishop, who made a treasonable speech at the place of execution, and prayed for the family of the Stuarts—Donald Macdonald of Kinloch Moidart, Donald Macdonald of Tyendrish, John Macnaughton, who killed colonel Gardiner, and Francis Buchanan of Arnprior. This last gentleman, among the many honourable men who were, by a foolish attachment to the ancient line of Scottish kings, drawn on to their ruin, was most honourable, and, besides, exceedingly amiable. His behaviour during his confinement, at his trial, and particularly at his execution, was such as interested every impartial spectator. He discovered great sweetness of temper, undisturbed calmness, and the most perfect self-possession, arising evidently from right apprehensions of death, and a strong feeling of religion. His last words were, after the rope was about his neck, "If I have offended any, I earnestly beg

* Among those who pled not guilty at this court was a John Ballantine, who had acted as piper to captain James Stewart's company, in lord George Murray's regiment. Several witnesses proved, that he was forced into the service by a party of the rebels, who took him by violence out of his bed, and threatened to stab him if he did not go with them, not allowing him time even to put on his clothes. They afterwards placed a guard over him, to prevent him from making his escape. Several other circumstances appearing also in his favour, the jury acquitted him; upon which the poor fellow was in such a transport of joy, that he threw up his bonnet to the very roof of the court, and cried out:—"My lords and gentlemen I thank you. Not guilty! Not guilty! Not guilty! Pray God bless king George for ever. I'll serve him all the days of my life;" and immediately ran out into the castle yard with his irons on, took up a handful of channel water, and drank his majesty's health.—London Magazine, 1746.

they will forgive me; for I am sure I forgive all the world." Five of those who had been found guilty at St. Margaret's Hill, were executed on the twenty-eighth of this same month, on Kennington Common. Of the whole number who suffered in consequence of the rebellion, it may be remarked generally, that they remained firm in their principles; and their deaths were, many of them, peculiarly cruel—their bodies being cut up while they were yet quivering with life, and their hearts torn out and thrown into the fires that had been prepared for the purpose.

Judicial proceedings against a multitude of other rebels were carried on at various times for a twelvemonth after this, and various condemnations took place, though few were executed. The individuals, however, were for the most part obscure, and at any rate it would be too tedious to enumerate them. We shall close our account of these matters with the trial of lord Lovat, and Charles Ratcliffe, brother to the earl of Derwentwater, who had been convicted and condemned for treason in 1716, but effected his escape out of Newgate, went over to France, where he had resided for the most part till 1745, when he accepted of a commission from the French king, and took his passage for Britain, intending to act as an officer in the rebel army. The ship in which he embarked, however, fell into the hands of the British, and he, along with his son, and several other officers, both Scottish and Irish, were made prisoners, and lodged in the Tower. His son, having been born in France, could not be charged with treason against the king of Great Britain, and was accordingly exchanged, but himself, on the twentieth of November, was brought under a strong guard to the court of King's Bench in Westminster hall, where he was arraigned on his former sentence. Before the court he behaved with much insolence, refusing that he was Charles Ratcliffe, but earl of Derwentwater, by which he hoped to pass himself off as Francis Ratcliffe, a younger brother of the family, who had died in France previous to the year 1715. His case was submitted to a jury on the twenty-fourth, which returned a verdict against him as the individual Charles Ratcliffe, who had received sentence of death as a traitor in 1716, and his execution was ordered for the eighth day of December following.

On Monday, the eighth of December, he was, according to his sentence, brought from the Tower, put into a mourning coach, and conveyed into a small booth adjoining to the stairs of the scaffold, which was erected on Little Tower Hill, where he spent a short time in devotion, after which he walked up upon the scaffold with great composure. He was dressed in regimentals—a scarlet coat, with gold buttons, the sleeves faced with black velvet, scarlet waistcoat, trimmed with gold lace, a scarlet pair of breeches, and white silk stockings, and his hat with a white feather round it. To the executioner he gave a parcel of gold, saying, “I am but a poor man, there’s ten guineas for you, if I had more I would give it you, and I desire you to do your duty, so as to put me to the least misery you can.” He then kneeled down before the block, and putting his hands together, prayed for some little time. Two of the warders then approached him, one of whom took off his wig, and the other put a white cap upon his head. He then got up, and with their assistance pulled off his coat and waistcoat. Turning round, he took a respectful leave of the sheriffs, untied the collar of his shirt, which was tied with a black ribbon, and began to tuck it down, but not being able to reach far enough behind, he desired the executioner to do it for him, which he did accordingly. After saying a short prayer, and crossing himself several times, he laid his head upon the block, saying to the executioner:—“When I spread abroad my hands, then do you take off my head.” This signal he gave in less than half a minute, and with one blow his head was severed from his body, except a bit of skin, which, with two more gentle blows, was chopped asunder, when the body fell down upon the stage, the head being received in a piece of red baize, and both were put into a coffin, the inside of which was lead, lined with white satin. It was covered with black velvet, with gilt nails and handles. In his pockets the executioner found half a guinea, a silver crucifix, and his beads. When he examined his pockets, he also found that Mr. Ratcliffe had given him, instead of ten guineas, eleven guineas and a half, which, with the half guinea found in his pocket, made the whole twelve guineas. His corpse was on the eleventh carried in a hearse, attended by two mourning coaches, to St. Giles’ in the fields, and there interred

with the remains of the late earl of Derwentwater, according to his own desire, with this inscription on his coffin:—“*Carolus Ratcliffe, comes de Derwentwater, Decollatus die 8 Decembris, 1746, Ætatis 53, Requiescat in Pace.*”*

On the eleventh of December, the day on which Mr. Charles Ratcliffe was interred, one of lord Lovat's treasonable letters having been, by his majesty's command, delivered by the chancellor of the exchequer to the speaker of the house of commons, was read to the house, which after having examined several evidences relating to the writing and signing of it, agreed to impeach Simon, lord Lovat, of high treason. This impeachment Sir William Yonge was ordered to carry to the lords, which he immediately did to the following effect:—“My lords, the commons of Great Britain, in parliament assembled, having received information of divers treasons committed by a peer of this realm, Simon, lord Lovat, have commanded me to impeach the said Simon, lord Lovat, of high treason, and I do here in their names, and in the names of all the commons of Great Britain, impeach the said Simon, lord Lovat, of high treason; and I am further commanded by the house of commons to acquaint your lordships, that they will, with all convenient speed, exhibit articles to make good the charge against him.” Sir William Yonge had no sooner reported what he had done, than the commons appointed a committee, consisting of Sir William Yonge, lord Coke, Mr. Lyttleton, Mr. Richard Grenville, the attorney-general, the solicitor-general, Mr. Philip Yorke, Mr. Noel, Sir Richard Lloyd, Sir John Strange, lord Barrington, and Mr. Legge, to draw up articles against lord Lovat, and prepare evidence to support them. To this committee were delivered all the letters and papers, sealed up, belonging to lord Lovat's case, and any five of them were declared to be a quorum. On the sixteenth, on the report of Sir William Yonge, the articles of impeachment were agreed to, with a reservation, that the house should exhibit any other articles of impeachment against his lordship, if they should judge it proper so to do. On the seventeenth these articles were carried to the lords, and next day lord Lovat was brought

* Gordon's Lives, vol. iii. pp. 604—608.

to their lordships' bar, where the said articles were read to him. His lordship made a long speech on the occasion, in which he expressed the highest esteem for his majesty and the royal family, enumerated the important services he had performed during the rebellion in the year 1715, and the singular favours bestowed upon him in return by the late king and his ministers. He then enlarged upon his age and infirmities, particularly his deafness, in consequence of which, he said, he had not heard one word of the charges which had been read against him. They were of course read over to him again, when he presented a petition, praying that he might have a copy of them, and that counsel and solicitors might be assigned him, which was granted accordingly. He likewise acquainted their lordships, that he had nothing to support him, his estate having been taken possession of, as we have related, by the duke of Cumberland; whereupon their lordships gave orders to allow him the income thereof for his subsistence. He also petitioned that his strong box might be returned to him, but this was refused. His trial was fixed for the thirteenth of January, 1747. His lordship was accordingly brought up on that day under a strong guard, and placed at the bar of the lords, where he gave in an answer to the articles of impeachment, every one of which he denied. After having made a very long speech, his trial was fixed for the twenty-third of February, and he was carried back to the Tower, amidst the hissings and the execrations of a vast mob that attended him.

On the eighteenth of February, lord Lovat petitioned the lords, that his trial, on account of the inclemency of the weather, which would necessarily prevent his witnesses, who had to come all the way from Scotland, from arriving in time, might be put off, and it was put off accordingly till the fifth of March; and in consequence of another petition from his lordship, on the second of March it was, after a very warm debate, postponed to the ninth. On the ninth his lordship was brought up for trial. The charge against him was reduced to seven articles. First, That in 1743, 1745, he traitorously conspired against his majesty. Second, That in 1743 he corresponded with the pretender, accepted from him a commission to act as a lieutenant-general, and a patent creating him duke of Frazer, &c.

Third, That he aided and assisted in raising men and money, with an intent to wage war against his majesty. The fourth, fifth, sixth, and seventh charges, were only variations of the first three. The witnesses called to prove these charges, all of which lord Lovat chose to deny, were this day Mr. Robert Shevize of Muirton, against whom his lordship excepted, as being his tenant, and by the law of Scotland he maintained, naming the particular statute, no tenant or vassal could be admitted as evidence against his lord. Counsel was heard on this question, several clauses from the above statute read, and the witness, denying that he held any thing in tack from his lordship, or that he would be in any respect benefited by his attainder, was at length sworn, and deposed that he had been acquainted with his lordship ever since the year 1783, during which time he had frequently conversed with him on public affairs, and that so far back as 1719 his lordship had been inimical to the existing government, having in that year, as he told witness, written to Seaforth by lieutenant Mackinnon, inviting him to make another attempt for the pretender, and promising to join him with all his clan; that in 1786 his lordship, being sheriff of Inverness-shire, was privy to the escape of Roy Stuart out of the public gaol, whence he went directly to his lordship's house, where he was entertained for six weeks, at the end of which he set out for France, charged with proofs of his lordship's fidelity to the pretender, and soliciting for him the post of lieutenant-general of the Highlands, and the honour of being created a duke; that he signed, in 1740, along with six others,* an association, which was sealed, and delivered to Drummond of Bockaldy, to be sent to Paris and Rome, to certify the pretender that they were ready to appear in arms on his behalf, and requesting him to use all his influence to procure at the same time an invasion of Great Britain from France; that at all the meetings among these persons, the prevailing toast or sentiment was, "Confusion to the white horse, and all its generation," and the favourite catch, originally composed in Gaelic, but translated into English doggerel, was, "When Jamie comes o'er, we

* The other six were James Drummond, duke of Perth, lord Traquair, Sir James Campbell of Auchinbreck, Cameron of Lochiel, John Stewart, brother to lord Traquair, and lord John Drummond, uncle to the duke of Perth.

shall have blood and blows good store;" that his lordship often affirmed there was but one true religion, the Roman Catholic, and that he cursed the reformation and revolution, the one for introducing a false religion, the other for running us in debt; that in 1742, having received his commission from the pretender to be lieutenant-general of the Highlands, Lovat said he was now in a condition to humble his neighbours; that on the arrival of the pretender, 1745, Lovat sent for his son, a youth of nineteen, from the university of St. Andrews, to receive a commission from the pretender, and to head the Frasers; and that he ordered witness to read the pretender's manifesto, offering him a captain's commission if he would enter into his service; and he added, that many of lord Lovat's tenants refusing to go into the rebellion, his lordship threatened "to cut them off." Being asked if he had any questions to put to the witness, his lordship replied, that "he had sworn to so many falsehoods, he did not know what to ask him, or where to begin."

The second witness called this day was Robert Fraser, against whom his lordship also excepted, as being his tenant, which he offered to prove by a written tack. The earl of Cholmondeley submitted it to the house, whether this could be regularly done after the witness had been sworn, and the lord high steward being of opinion that it might, the prisoner was directed to call his witnesses. After a short pause his lordship stated, that they were all gone, not expecting to be called that day, and insisted that the court should delay further procedure till next day. This, however, was refused, and the witness being examined, deposed:—That he was servant to lord Lovat, and taken prisoner along with him; that after the pretender's landing in July 1745, though his lordship said that his "landing was not like that of a prince," he sent orders to the Frasers to join his son, the master, and that a muster roll of the men was taken by Lovat himself; that he distributed money for raising them, and that they rendezvoused twice, on the last of which occasions his lordship gave them gunpowder and cockades, as being in the service of the pretender; that his lordship wrote to Alexander Fraser, in Inverness, to send him men to make camp colours and bell tents, which was done accordingly; that after the battle of Preston, [Gladsmuir,] he desired the men to be gathered together to

march south, and when they had done so, that he desired his son to come back for more men; that in a letter to the pretender's son, then at the head of the rebels, he lamented his age and infirmities, which disqualified him from rendering him personal service, but as a proof of his zeal, he had sent to assist him his eldest son, who was the darling of his life; that he, the witness, saw in Lovat's desk a copy of an old patent creating him a duke; he also saw a renewal of this patent, the original of which, he was told by lord Lovat, was in the hands of Drummond of Bochalduy, at that time in France; that he also saw the commission, sent by the pretender to Lovat, of lieutenant-general, and made a copy of it at his lordship's desire. This witness also mentioned the circumstances of his lordship's correspondence with the lord president, in which he artfully attempted to excuse himself, by laying the blame upon his son, who, having by accident, seen one of these equivocating epistles threatened to go himself to the lord president, and "put," as he expressed it, "the saddle upon the right horse;" of his holding conversations with the rebel chiefs after they were actually in arms, particularly with Murray and Barisdale, and of the high indignity felt, and the deep resentment expressed by his lordship against the government, for the taking from him his independent company. Lord Lovat declined putting any questions to this witness, affirming that "what he had said would not find credit in an assembly of footmen."

On the second day of the trial, the only witness called was no less a personage than the pretender's secretary, John Murray of Broughton, Esq. whose attainder, evidently with intent to take the benefit of his evidence on this occasion, had previously been set aside. He made his appearance richly dressed in black velvet. To this witness lord Lovat objected the act of attainder that had been passed against him. In disposing of this objection, the lords found it necessary twice to adjourn to their own house, which adjournments, with the debates, occupied the whole day. They determined, however, in the end, that Mr. Murray might be admitted as an evidence.

On the morning of the third day Mr. Murray was sworn, and gave an account of the whole rise and progress of the rebellion, with the particular share he himself had in it,

from the year 1742, but made no mention of Lovat till the day the pretender's standard was erected, when letters were forwarded to all who were supposed to be his friends, and amongst many others one to his lordship, which was delivered by Kinloch Moidart, who received no answer further than that he was requested to tell the pretender, that he would hear from Lovat soon. On the march to Perth, a few days after, Fraser of Gortuleg came to the deponent with a message from Lovat, requesting him to procure from Charles the patent and commission that had been signed by his father, the chevalier de St. George, creating his lordship a duke, and appointing him lord lieutenant of the county of Inverness. Charles, when this was communicated to him, informed the witness that he had such a writ, but had left it in a trunk several miles behind them, in case of any accident happening, as Sir John Cope, with the king's army, was upon the march to attack him, and with this answer Gortuleg returned to lord Lovat. Witness deposed further, that after the battle of Gladsmuir he was told by Bochaldy, that Hugh Fraser, an attorney in Edinburgh, who had formerly been lord Lovat's secretary, was a most proper person to be sent with a message to that nobleman, and he was accordingly sent with orders to tell him, that the patent signed by the chevalier, creating him a duke, could not be found, but that his lordship should have a new one signed by Charles. Witness saw this Hugh Fraser no more till after the retreat from Derby, when he came to witness at Glasgow, and told him that he had been sent by Lovat for the patent, and that he had left the master of Lovat with a considerable number of the clan Fraser at Perth. The patent was then wrote out, the title being left blank, which he desired Hugh Fraser to fill up himself, after having seen old Lochiel, who was then at Dunblane, who he believed had a copy of the old patent by him, perhaps the old patent itself, which if he had, the new one might be destroyed. From this time witness knew nothing of Lovat, till shortly after the battle of Culloden, when he was present at a meeting with him, in a house belonging to Lochiel's brother, where were present Lochiel, his brother, Dr. Cameron, Kerpoch, Barisdale, Cluny, John Roy Stuart, old Glenbucket, and eight or ten more. Here Lovat gave it as his opinion, that

every gentleman present should raise a number of men in order to defend themselves, till they could procure terms from the king's troops. This proposal was agreed to by all, and the number of men calculated upon was three thousand, Lovat's proportion of which was four hundred, and he was allowed sixty louis-d'ors, being his proportion of all the money that was in witness's possession, intended as subsistence money for them for ten days. Shortly after, witness had a letter or verbal message from Lovat, demanding a lieutenant, with twenty-two men, as a guard, and money to maintain them. Witness sent him fifteen louis-d'ors, being all the money he could then spare, desiring him to employ for his guard some of his own people. Witness a few days after called upon his lordship, and inquired if he had sent the sixty louis-d'ors to the master to raise his men. His lordship admitted he had not, but was to do it that afternoon. This witness further declared, that he told Lovat, and the other gentlemen when met, that there had come thirty-five thousand louis-d'ors from France. Only five hundred of the proposed three thousand men were ever got together, and they drew up on the side of a hill, to take possession of a pass that guarded Lochiel's house, but finding themselves greatly inferior in numbers to the king's troops, they dispersed, every man to shift for himself, and since that time witness had not seen lord Lovat, till he met him at their lordships' bar. Mr. Murray, in conclusion, denied ever having taken any oath, either to the existing government, or to the pretender, or any of his family.

Hugh Fraser, younger of Dunballoch, was the next witness called this day, who deposed, that he was often about Lovat's house, and in the beginning of the rebellion had frequent conversations with his lordship regarding the situation of the country, but never came directly to the point with him till after the battle of Gladsmuir, on receiving the news of which, his lordship told witness he was now resolved to throw off the mask, and show the world what principles he professed.—That he afterwards inquired at witness how many men he could raise? which witness was unable to tell.—That witness being at dinner with his lordship, and a number of gentlemen of the name of Fraser, it was proposed to send the fiery cross round his lord-

ship's lands; whether this was proposed by Lovat, or whether it was carried fully into effect, cannot say, but he saw the cross carried all round his father's lands of Dunballoch.—That he heard Lovat say that his eldest son should head the clan which he should send to the prince, meaning the young pretender, who, he was sure, would prevail; and that he would order his factor to give a gratuity, weekly or monthly, to the wives and children of those that went south to the prince.—That Lovat wrote a letter to Macleod in the Isle of Skye, requesting him to join immediately with his men, and about the same time received a letter from the marquis of Tullibardine, signed *ATHOL*, which witness read, and thought to be an answer to one wrote by Lovat.—Witness himself commanded a company of the clan Fraser, and the master of Lovat was his colonel; did not believe that the master would have raised the clan had his lordship opposed it; dined frequently at Lovat's house with officers of the clan Fraser, and heard the healths of the pretender and his son drunk by the names of king James VIII. and prince Charles, his lordship being in company.—Acknowledged, when cross-examined, that he was a prisoner, and that he was examined in January last at Inverness, by the sheriff-depute, Mr. Ross of Kilravock, in presence of the earl of Loudon.

The third witness called on this day, was John Riddel, his lordship's groom, who had been in the battle of Culloden, and shortly after surrendered himself prisoner. The depositions of this witness, so far as they went, were nearly the same as those of the preceding, with the addition, that he remembered once, upon some words passing between his lordship and the master, to have seen the master take the white cockade out of his hat, and throw it into the fire. The reason of this he could not tell, the conversation having been carried on in Gaelic, which he, the witness, did not understand. He also saw, shortly after the battle of Preston, five or six hundred Frasers drawn up on the green at Castledownie, but could not say whether lord Lovat knew of it or not.

The fourth witness examined this day was William Walker, lord Lovat's coachman, whose depositions, being to the same effect as those of his fellow-servant Riddel, we reckon it unnecessary to repeat. Here lord Lovat reminded the court that

he was very infirm, had had two fainting fits the day before, had been out of bed since between three and four o'clock in the morning, and on these accounts begged the court would have the goodness to allow him one day's respite, which was granted.

The first witness examined on Friday, the fourth day, was Thomas Fraser, baker, Inverness, who deposed, that in September, 1745, he was employed to repair some camp colours and bell-tents at Castledownie, which had Lovat's crest upon them. These bell-tents were erected on the green before the house, and when his lordship came out to see them, he seemed to be displeased, but whether it was because the tents were erected there, or because they were not well done, witness could not say.

The next was a witness whose evidence was of a much more important character, the often beforementioned Mr. Hugh Fraser. The depositions of this witness corroborated the testimony of all the preceding witnesses, with many additional circumstances that, while they developed the artful character of lord Lovat, added greatly to the criminality of his conduct. In particular, he deposed that he went north at the beginning of the rebellion, at the request of Mr. Fraser of Balnain, and proposed to Lovat to send his son, the master, directly to Leyden, in order that he might finish his education, and be at the same time out of the way, Mr. Fraser of Balnain kindly engaging to bear his expenses at least for the first year. To this proposal Lovat at first assented, but in a few days changed his mind, saying, "that his son must head the clan, as he was not able to do it himself." He also stated, that when Barisdale and a son of Glengarie's brought Lovat the news of the battle of Gladsmuir, his lordship expressed the highest satisfaction, saying, that "such a victory could not be paralleled in history," when Barisdale bidding him pull off the mask, he pulled off his hat, and said, he was an infirm old man, but that the sending his son, the hope of his family, was an evidence of his loyalty more demonstrative than if he had gone himself; seven companies of the clan Fraser were shortly after in arms, and in the list of officers, witness found himself named captain-lieutenant.—This list of officers dined frequently at lord Lovat's table, and his lordship always designated them by the offices he had assigned them in the said list. Thought it

impossible to have raised the clan if Lovat had opposed it, and found the master always backward to engage in the rebellion, which, if he had been left to himself, witness believes he would never have done. It was at this stage of the business, that a letter, or message, was sent from lord Loudon, charging Lovat with treasonable practices, when the witness was sent to lord Loudon and the lord president with those remarkable letters which we have already noticed, pretending to lay open to them the difficulties of his situation, and imploring their advice. The answers, which were very plain and explicit, charging Lovat with his disingenuous practices, and threatening, except he recalled his men and his son, to make him answerable for them, were delivered to the witness open, and being met by the master of Lovat privately, on his way back from Inverness, they were shown to him, and the sight threw him into the greatest confusion. They returned, however, to Castledownie by different roads. Old Lovat said the letters and messages were only bugbears, and he forbade the witness to tell any thing of them to his son. The son, however, coming in at the instant, discovered by his tears the knowledge he had already acquired, begged his father not to be thus always doing and undoing, but to come to the point, as he himself was resolved to do, be the consequences what they would, at which his lordship seemed to be in a violent passion. It was on the back of this that witness was sent to Edinburgh, with an apology to the pretender for lord Lovat, who was, as he stated himself, from his infirmities prevented from waiting upon him with four or five thousand men, as he had originally intended, but that he had resolved that his son should head the clan, and join him, which he wished and hoped might be regarded as a mark of attention equally strong as if he had gone himself. Witness was immediately sent back with an open letter to Lovat, from secretary Murray, informing him of the intended march into England, and ordering the Frasers to join the army of the pretender at Moffat or Carlisle. At the same time that witness delivered this letter to Lovat, he informed him of the preparations making by the government, particularly of the arrival of twenty-one battalions from Flanders, the Dutch auxiliaries, and two regiments from Ireland, &c. &c. which he was afraid would be too many for the High-

landers; Lovat was under the same fears, but said he had gone already too far to retract, and expressly forbade witness to say any thing of the matter to his son. Witness was speedily followed by Barisdale, who came north for the purpose of impressing the whole country into the service of Charles, and the Frasers began to march towards Perth, in small bodies of about fifty men each. Lord Loudon at this time came to Castledownie, and carried lord Lovat prisoner to Inverness, from which, as we have already stated, he in a short time made his escape, and concealed himself under the protection of Fraser of Gortuleg. Witness now carried a letter from Lovat to secretary Murray, who was at that time along with Charles and the rebel army in Glasgow. This letter contained a demand for arms to the Frasers, and an advice to send a body of men to take possession of Inverness for the pretender. Witness in return received a packet from secretary Murray, containing a commission to Lovat to be a lieutenant-general, and lord lieutenant of Inverness-shire; a colonel's commission to Inverlachie, signed by the young pretender, and a letter to Lovat from secretary Murray, Lochiel, and Clunie. Being questioned by the prisoner, this witness acknowledged he was taken at Culloden, and had been a prisoner ever since—admitted that he expected a pardon, though as yet he had no promise to that effect. Being asked by the attorney general, if at Fort Augustus he did not think himself dying of his wounds, and if he did not then emit a declaration, answered to both in the affirmative, adding, that what he then said, was in substance the same as what he had now deposed.

The above were the most material witnesses; and though several others were called, few new facts were elicited. Alexander Campbell, factor to lord Fortrose, deposed, that being at Castledownie to treat with Lovat about some cattle, in the month of October, 1745, his lordship informed him that his son was in the rebellion, but that he himself was a loyal subject. John Farquhar, servant, and Charles Stewart, clerk to secretary Murray, fully confirmed the secretary's depositions. Lieutenant Dalrymple, David Campbell, one of general Campbell's volunteers, and Sir Everard Fawcner, the duke of Cumberland's secretary, deposed to the papers found in Lovat's

strong box, and to the tenor of his conversation aboard the Furnace sloop of war, and at Fort Augustus, which though inconsistent, was of a highly rebellious character. To the latter witness, especially, he boasted of the vast services he had performed for the government in 1715, and of the favours he had received from his late majesty, but inveighed bitterly against general Wade, for the loss of his independent company, in consequence of which, he maintained that he would have been justified in joining Kouli Khan had he landed here. But he added, that if his majesty would spare his life, he would yet exert all his power, which was not inconsiderable, in the service of the government. Being asked if he had any questions to put to this witness, his lordship replied, that he was Sir Everard's most humble servant, and wished him joy of his young wife. Robert Fraser was a second time called, to speak more particularly to a number of treasonable letters signed by Lovat, which finished the business of the fourth day.

Monday the sixteenth, the fifth day of the trial, Robert Fraser was called a third time, and more particularly examined with regard to the letters; secretary Murray was also again called, and examined anew upon the same subject, which closed the evidence for the crown, which was summed up by Sir John Strange, in a speech of upwards of an hour, after which the lord high steward informed the prisoner that he was now at liberty to enter on his defence. His lordship, however, stated that he was not prepared, and prayed the court to grant him four or five days for that purpose; and also, that Norman Macleod, a relation of his, and a member of the house of commons, might be permitted to give evidence in his behalf. Their lordships, in consequence of this, adjourned to the upper chamber, whence, after consultation, they sent a message to the commons, requesting them to give leave to Mr. Macleod to give his evidence, and acquainting them that they were to proceed with the trial on Wednesday.

On Wednesday, the lord high steward directed the prisoner to proceed with his defence. His lordship then presented a paper, containing what he had to offer in his defence, and his objections to the evidence, which, in consideration of his years, his infirmities and pains, he begged might be read by the clerk

of court, which was done accordingly. The purport of this paper, which was drawn up with all that peculiarly artful acuteness, for which Lovat had been all his days distinguished, was to discredit the evidence that had been adduced against him; and, under the pretence of bringing forward exculpatory witnesses, to procure a delay of procedure. The depositions of Schevize of Muirton, his lordship contended, had not even common probability; and "I am sure," he added, "your lordships cannot conceive any good opinion of a person who voluntarily offers himself as an evidence to little trifling conversations, which the only opportunity he had of hearing, was his eating at my table when he must have starved at his own—and perished for cold, unless my money had furnished him with clothes." He was also particularly inveterate at "the three infamous fellows calling themselves secretaries. The one," says he, "I on this occasion name first, is Murray, the most abandoned of mankind; who, forgetting his allegiance to his king and country, has, according to his own confession, endeavoured to destroy both, like another Catiline, to patch up a broken fortune upon the ruin and distress of his native country; to-day stealing into France, to enter into engagements upon, your lordships may believe the most sacred oaths of fidelity, soon after, like a sanguinary monster, putting his hand and seal to a bloody proclamation full of rewards for the apprehending the sacred person of his majesty; and, lest the cup of his iniquity had not been filled, to sum up all in one, he impudently appears at your lordships' bar, to betray those very secrets which he confessed he had drawn from the person he called his lord, his prince, and master, under the strongest confidence. Your lordships will perceive I have yet forbore to mention the other circumstance, of his having received thirty-five thousand louis-d'ors, which he yet expects to live and riot on.* But, my lords, who can consider the price of blood and treachery, and not bestow that sort of pity, which Mr. Murray, the greatest criminal, the true disciple of his master Iscariot, calls for?" The second secretary, Mr. Robert Fraser, his lordship described as "a person who

* From this it is evident that Lovat was not intrusted with the secret of this money being secreted in the Highlands, for the use of Charles himself, and was, as we have seen, to be delivered only to his own order.

never had the good fortune to be worth a shilling, and whose veracity and truth never exceeded his riches." Of the third secretary, Mr. Hugh Fraser, his lordship did not speak in such unmeasured terms of contempt, only he considered him as "naturally enough swearing away the life of another in order to save his own." Fraser of Dunballoch he stated to be in the same predicament; and even the testimony of Sir Everard Fawcner as of a very interested character, from the prosecutions that might be brought against him by the prisoner, in case of his being acquitted, "for cutting down his woods, and interfering with the rent of his estates." To this speech the solicitor-general made a full reply, after which his lordship offered to lead a proof, that by repeated threatenings his witnesses had been prevented from attending, which being objected to, the lords adjourned to the chamber of parliament, where it was resolved that it was irregular, and without precedent, to examine any witnesses after the managers had made their reply. The house agreeing to go down again to Westminster hall to pass judgment, the lords spiritual, as usual, gave in a protestation, and withdrew. Having resumed in Westminster hall, and the prisoner being removed, the lord high steward put the question to every peer, beginning with the youngest, Is Simon, lord Lovat, guilty of the high treason with which he has been charged? when each of them in return, laying his right hand upon his left breast, answered, guilty, upon mine honour. Lord Lovat was then set to the bar, and acquainted by the lord high steward that his peers had unanimously found him guilty.

Thursday the nineteenth, the seventh day of the trial, the unhappy lord Lovat was again brought to the bar, when he made a very long and desultory speech, very little to the purpose, and being again asked if he had any thing to offer in arrest of judgment, insisted upon his witnesses being sent for, but this, he was told, could not be granted. Both lords and commons now withdrew to their respective houses. The latter, in a short time, with their speaker, and the mace, appeared at the bar of the lords, and in name of the commons of Great Britain, demanded judgment of their lordships against Simon, lord Lovat, for high treason. The commons were followed to their own house by a message, informing them that the lords were pre-

sently going down to Westminster hall, to give judgment as they had requested. Both houses were accordingly in a short time after assembled, when the lord high steward addressed himself to the unhappy prisoner at the bar, in a speech replete with sound sense and feeling,* in conclusion of which he pro-

* “ Simon, lord Lovat,—You have been impeached by the commons of Great Britain, in parliament assembled, of high treason, charged upon you by particular articles, containing different species and various overt acts of that treason. To these articles your lordship thought fit to put in an answer, amounting to a general plea of not guilty to the whole; and, after a long and impartial trial, upon the clearest and most convincing evidence, against which you offered no defence by witnesses, your peers have unanimously found you guilty.

“ What remains, is the disagreeable but unavoidable part of proceeding to that judgment, which is the necessary consequence of such atrocious crimes. Happy had it been for your lordship, if before you engaged in them, you had suffered the terrors of that consequence to have their due weight, when the sacred ties of your allegiance and your oaths, were not strong enough to restrain you.

“ In this proceeding, the zeal and dutiful affection of the commons to his majesty and their country, and the justice of the house of peers, have shone forth in their full lustre. The commons found your lordship to be one of the principal conspirators, who contrived and carried on the late detestable rebellion, to destroy our religion and liberties, and to subvert that legal settlement of the crown in his majesty and his royal family, under which alone we can live free and happy.

“ They rightly judged, that this, which is the common cause of all the people of Great Britain, ought to be prosecuted by the united voice of the people: that it became them to investigate and lay open, in full parliament, the source of those calamities which we have lately suffered, and the deep laid and long meditated conspiracy, in which your lordship had so considerable and so flagitious a part. They rightly judged, that no judicature was equal to such an important proceeding, but this high court; on whose penetration and justice they relied, and before whom, in this great assembly, public and indubitable satisfaction might be given. Before your conviction, I have spoken to your lordship upon a presumption of your innocence; but now I am bound by the unanimous decision of my lords your peers, to take the evidence against you to be true, and to address myself to you as a guilty person.

“ Your lordship has in your answer endeavoured to avail yourself of former services to his late majesty and the protestant succession, which you have this day enlarged upon at the bar. How unfortunate have you been in referring back to such cancelled merit, since thereby you have furnished an opportunity to the commons, to show, for how long a tract of time you have conceived and nursed up this treason in your heart! Whatever your pretences were,

nounced upon him the terrific sentence of the law. Lord Lovat made a short speech, which he concluded with begging their lordships to recommend him to his majesty's mercy. Turning at the same time to the commons, he said, that he

so infected was your mind, and so forward your zeal, in the cause of that pretender whom you had then abjured, as to engage in that rash and weak attempt from Spain in his late majesty's reign. Yet, at, or very near that time, it appears by the evidence (out of which every observation I will make will naturally arise,) you were soliciting and accepting favours and trusts from that very government you had engaged to destroy. What use did you make of those trusts? The instance of Roy Stewart, now an attainted rebel, speaks it too plainly. Whilst you were sheriff of the shire of Inverness, the largest county in Scotland, and one of the greatest consequence, you suffered that criminal, in the year 1736, to escape out of your public prison; harboured him afterwards in your own house; then charged him with messages and assurances of fidelity to the pretender, and to procure for you a commission of lieutenant-general, and a mock title of honour from that pretended prince.

"If any thing could surpass this treachery, it is the association which your lordship signed and sealed, together with six other persons, and sent to Rome and Paris, by Drummond of Bochaldie, in the beginning of 1740. The substance of this was, to assure the pretender, whom you always called your lawful king, of your readiness to appear in open arms for his service; and to solicit an invasion from France against your native country, to support this desperate design.

"It should seem by the evidence, that the foreign enemies of Britain were less forward in this measure to disturb her, than her degenerate, unnatural sons. Whether that reluctance proceeded from a distrust of so false a set of men, or from a conviction that the body of this great people was not to be shaken in their loyalty to a king, who possesses the throne by a most rightful title, and governs them in justice and mercy, according to their laws and constitution; in either case they were in the right. What dependance could the court of France have on a few abandoned traitors? What hopes could they entertain, that a general infatuation would on the sudden seize and delude a brave, a free, and a happy people, to seek their own slavery and ruin?

"From this time till the year 1743, the conspiracy lingered in its progress, though great efforts appear to have been made to render it more extensive and more formidable. Then it happened, as it always has happened, that when France saw such an enterprise, whether successful or not, might be made a convenient engine of her own politics, that court set about an invasion in earnest. Great preparations were made, and ready at Dunkirk; but the providence of God disappointed them. To be capable of proving transactions of this kind by strict evidence in the forms of law, is not common, nor, in the nature of the thing, ordinarily to be expected. But this the vigilance of the commons has effectually done, to the conviction of all well-intentioned persons, and to the shame and confusion of those, who, though they

hoped the worthy managers, as they were stout, would be merciful. Going from the bar, he added, My lords and gentlemen, God Almighty bless you all; I wish you an everlasting farewell, for we shall never all meet again in one place. The lord

believed, and perhaps knew it themselves, were industrious to propagate a pernicious incredulity in others.

" Thus the commons have traced and brought down the series of the conspiracy to the remarkable era of July, 1745, when the eldest son of the pretender landed in Moidart, unsupported by any foreign troops, unattended, and almost alone. The appearing rashness of this attempt gave rise to some apprehensions, some misgivings in the breasts of your lordship and your fellow-conspirators; proceeding from a concern, not for the king or for your country, but for your own private interest and safety. A French invasion had long been solicited; a French force was depended on, to secure you against the just vengeance of your native country, and the failure of that damped your hopes, and produced your expressions of disappointment. However, such was your zeal, that in this rash enterprise your lordship joined; not indeed personally, (this you often excused on account of your infirmities,) but by sending, or rather forcing out your clan, and committing every other species of the blackest treason, which the articles of impeachment have charged upon you.

" Permit me to stop here a little, and lament the condition of part of this united kingdom; happily united in interests both civil and religious; happily united under the same gracious monarch, and the same public policy; and yet the common people, in some of the remote northern counties, are still kept in such a state of bondage to certain of their fellow-subjects, who, contrary to all law, and every true principle of government, have erected themselves into petty tyrants over them, as to be liable to be compelled into rebellion against their lawful sovereign, under the peril of fire and sword. Astonishing it is, that such a dangerous error in government, such a remain of barbarism, should have subsisted so long in any quarter of this civilized, well-governed island. But since such is the misfortune, let it be accounted one good fruit of this inquiry, that it has appeared in this solemn manner. The knowledge of the disease shows the way to the cure, and it calls aloud for a remedy. This usurped power was audaciously made use of even in your clan. 'Tis true, your lordship's activity in exerting it, rose and fell in proportion to the appearances of the good or bad success of the pretender's cause. But, after the advantage gained by the rebels at Prestonpans, which you vainly called a *victory not to be paralleled in history*, you thought it time to throw off the mask, and with less caution, to espouse a party, which you then hoped might be espoused with impunity.

" I forbear to enumerate the many overt acts of your treason; it would be tedious to this assembly, who have heard them so much better from the witnesses, and from the recapitulation of the managers; it would be grievous to your lordship, if your heart is by this time touched with any remorse for your

high steward then stood up, broke his staff, and declared his commission at an end.*

Though his lordship received sentence on the nineteenth of March, there were no orders issued respecting his execution till

guilt. But one thing I cannot help observing upon, the excuse you expressly made for this traitorous conduct, even after you were taken prisoner, to which you have this day artfully endeavoured to give a different turn. Being asked, how you could act such a part against a government from which you had received many favours? your lordship's answer was:—'That it was in revenge to the ministry, for their ill usage of you, in taking away your commission of captain of an independent company of Highlanders;' an excuse almost as false as it was profligate! False, because some of your treasonable practices were committed while you were possessed of that very commission;—profligate it was in the highest degree. Is allegiance no duty? Are oaths to his majesty and his government no obligation upon the conscience? Is loyalty to our lawful sovereign, and the love of our country, to depend on the enjoyment of extraordinary favours and emoluments, which no man has a right to, can, in the nature of things, be enjoyed but by a few, and are in the pleasure of all governments to confer or deny? A person actuated by, and avowing such principles as these, must be lost to all sense of virtue, and of shame, and of every natural as well as civil sanction of society.

"Sorry, very sorry am I, to see this last reflection so strongly verified by the proofs against your lordship. It has appeared, that you used your paternal influence with your eldest son, a youth not above the age of nineteen, to compel him to go into the rebellion, and afterwards unnaturally endeavoured to cast the crime and reproach of it upon him. If this be true, it is an impiety which makes one tremble. It is the celebrated saying of a wise writer of antiquity, and shows his perfect knowledge of human nature, 'that the love of our country includes all other social affections, for we see, when that is gone, even the tenderest of all affections, the parental, may be extinguished with it.'

"I have said these things, not with a view to aggravate your lordship's crimes, but, as becomes this place, and this occasion, to rouse your mind, which, there is reason to fear, may have been too much hardened, to a just and deep sense of your unhappy and dreadful situation. Were I to attempt this from topics of religion, I should be at a loss whether to apply to you as a protestant or a papist. Your open profession, your solemn oaths, and public actions, speak on one side; but, if I am to believe the evidence, your private discourse and declarations testify on the other. I will apply no supposition on this head particularly to your lordship, but from hence I would draw an instructive lesson, which well deserves the serious attention of this whole nation, of what important consequence it is, to preserve, not only the name and outward form of the protestant religion amongst us, but the real

* Trial of Lord Lovat. London and Scots Magazines for 1747.

the third of April, when the warrant, fixing it for the ninth of that month, was notified to him. He had been in the meantime apparently very much at his ease, and indifferent to either life or death. Being importuned by his friends to petition his majesty for a pardon, he replied, he was so old and infirm that his life was not worth asking. He, however, presented a petition for the life of his son, who was a prisoner in the castle of Edinburgh; and who had been drawn, or rather forced into the rebellion by his pernicious counsels. He received the notification of his death warrant with the greatest composure, drank a glass of wine to the health of the messenger who brought it, and entertained him for a considerable time with a most cheerful conversation, assuring him that he would not change situa-

uniform belief and practice of it. Indifference to all religion, prepares men for the external profession of any, and what may not that lead to? Give me leave to affirm before this great assembly, that, even abstracted from religious considerations, the protestant religion ought to be held in the highest reverence, as the surest barrier of our civil constitution. Ecclesiastical usurpation seldom fails to end in civil tyranny. The present happy establishment of the crown is in truth, and not in name only, **THE PROTESTANT SUCCESSION**; and the inviolable preservation of that wise and fundamental law, made since the revolution, whereby every papist, or person marrying a papist, is absolutely excluded from inheriting to this crown, will in future times be a solid security for our posterity, not only against the groundless and presumptuous claim of an abjured pretender and his descendants, but also to prevent this kingdom from becoming a province to some of the great popish powers, who have so long watched for the destruction of our liberties.

"But to return to your lordship. Suffer me to exhort you, with great earnestness, and in great charity, to deliberate seriously upon your own case, and to deal impartially with your own conscience. If, according to the evidence given at this bar, you have led a life of craft, dissimulation, and perfidy, consider how that scene has closed, what desolation you have thereby endeavoured to bring upon your country, how fatally it has ended for yourself. Consider, that the sentence which I am obliged to pronounce may soon send you to a tribunal where no disguise or artifice can avail you.

"The sentence of the law is, and this high court doth adjudge:—'That you, Simon, lord Lovat, return to the prison of the Tower from whence you came; from thence you must be drawn to the place of execution; when you come there, you must be hanged by the neck, but not till you are dead; for you must be cut down alive, then your bowels must be taken out and burnt before your face, then your head must be severed from your body, and your body divided into four quarters, and these must be at the king's disposal.'

"And God Almighty be merciful to your soul!"

nions with any prince in Europe. Next day he talked freely of his own affairs, and apparently took some merit to himself for having been concerned in all the schemes that had been formed for restoring the Stuarts since he was fifteen years of age, and boasted [how truly the short notices we have given of his character in the progress of this history will witness] that he never betrayed a private man, nor a public cause in his life. He added, perhaps with more truth, "that he never shed a drop of blood with his own hand, nor ever struck a man, except one young nobleman, [meaning we suppose lord Fortrose,] whom he cased publicly for his impertinence and impiety."*

On the Sabbath he talked of his family, and showed to his attendants a letter he had written to his son, in a style affectionate, sensible, and pious, breathing the resignation of a martyr, and the full assurance of a saint. On Monday he was waited upon by the major of the Tower, who asked him how he did. "Do," said his lordship, "why I am about doing very well, for I am preparing myself, Sir, for a place where hardly any majors, and very few lieutenant-generals, go." A certain nobleman waiting on him this same day, asked him some questions regarding his religion, to whom he answered that he was a Roman catholic, and would die in that faith; that he adhered to the rock upon which Christ built his church; to St. Peter, and the succession of pastors from him down to the present time; and that he rejected and renounced all sects and communities that were rejected by the church. Previously to this, his lordship had professed his religion to be the Roman catholic, and had requested a Romish priest, attending the Sardinian ambassador, to be allowed to attend him. Having occasion this day to speak of the late king, George I., Lovat gave him a high character, and added, he was my particular friend, and I dearly loved him. Tuesday morning, after drinking his usual glass of wine and water, he desired one of the warders to lay a pillow

* In the court house of Inverness, and in the presence of the lord president, D. Forbes, in the year 1744, Lovat gave lord Fortrose the lie, who, in return, struck Lovat a blow on the face with his fist. Lovat retaliated by several blows with his cane. Fraser of Foyers, not content with this, jumped from the gallery into the court, and, but for the interference of the lord president, would have shot lord Fortrose on the spot.—Life of Lord Lovat, p. 266.

at the foot of the bed, that he might try whether he could kneel, and lay his head low enough for the block, which being done, he made the essay, and said, he believed by this short practice, he should be able to act his part in the tragedy well enough. He then asked the warder, if he thought the executioner would be able to take off his head without hacking him; for, says he, I have reserved ten guineas in a purse, which he shall have if he does his business well. I am sorry, said a gentleman, that you should have occasion for him. "So, I believe," said his lordship, are many of those who were the cause of my coming hither, and, for aught I know, all of them will by and by. The taking off my head, I believe, will do them no service, but if it will, God bless them with it, though I cannot but think myself hardly dealt by. In the first place, I was stripped of every thing, and might have wanted even the necessaries of life, had not my cousin, Mr. William Fraser, advanced a considerable sum of money to general Williamson, and promised, on certain conditions, to pay for my further subsistence; and then to be convicted by my own servants—by the men that had been nurtured in my own bosom, and I had been so kind to, is shocking to human nature; but I believe each of them has a sting of conscience on this account, that will bear him company to the grave, though I am very far from wishing any of them any evil. 'Tis a sad thing, Sir, for a man's own servants to take off the head of their master and chief!" He then asked the gentleman what he thought of his letter to his son. Being answered that it was a good letter, "I think," said his lordship, it is a Christian letter."

Wednesday morning, his lordship awoke about two o'clock, when he prayed with great devotion for a considerable time, calling upon the Lord for mercy with great fervency. In the forenoon he amused himself by singing part of a song, and when one asked him how he could be so merry, knowing he was to die to-morrow, he replied, that he was as fit for an entertainment as ever he was in his life. He had some conversations this day respecting the bill that by this time was brought into parliament for abolishing heritable jurisdictions in Scotland. His lordship appeared very uneasy about it, and "wished all those gentlemen who voted

for it had the *SKITTER*.”* Sir Harry Monro, and Sir Ludovick Grant, calling to take a final leave of him, his lordship saluted them on their entrance, but in a little told them, that if he had his broadsword, he would not scruple to cut off their heads, if he thought them in the least concerned in bringing in, or voting for the above bill; and he added, “for my part, I die a martyr for my country.” On this day he also reverted again to his religion, telling those who were about him, that he had been bred a protestant, but was staggered in his principles on going abroad, by some conversation that he held with a father of the Romish church, upon which he devoted himself to the study of divinity for three years, after which he turned Roman catholic. “But,” said his lordship, “though this is my faith, I have charity for all mankind, and I believe every sincere, honest man bids fair for heaven, let his persuasion be what it will, for the mercies of the Almighty are great, and his ways past finding out.” He then pulled out and kissed a silver crucifix, which he handed about for the inspection of those that were about him, with the remark:—“That we kept pictures of our best friends, of our fathers, and of our mothers, and why,” he added, “should we not keep a picture of him who has done more than all the world for us.”†

Thursday he awaked about three o'clock in the morning, and prayed with great fervour. At five he rose, and called as usual for a glass of wine and water—was seemingly cheerful, and being placed in his chair, sat and read till seven, when he called for another glass of wine and water. The barber shortly after brought him his wig, which, on account of the day being

* *Vide* Dr. Jamieson's Scottish Dictionary.

† By quoting these his lordship's sentiments, we do not wish to be understood as approving of them. The first we admit in a certain sense to be true. A sincere honest man, in the proper acceptation of the terms, can have no persuasion contrary to the revealed will of God. “Make the tree good, and his fruit will be good,” is a maxim that cannot be disputed. But this was not the sense in which his lordship understood it. For the second—we consider pictures as objects of worship—and it was in this view his lordship was speaking of them, otherwise his comparison has no meaning—whether they be of fathers, mothers, or benefactors, to be all equally under the ban of the second commandment.

rainy, he had not powdered so deeply as usual, at which his lordship seemed to be angry, saying, he went to the block with pleasure, and if he had a suit of velvet embroidered, he would put it on for the occasion. He also ordered a purse to put his money in for the executioner, and requested that it might be a good one, "lest the gentleman should refuse it." The warder brought him two to choose one, which he did, though neither of them was much to his taste; "yet it was a purse," he observed, "which no man could dislike with ten guineas in it." Shortly after nine his lordship called for a plate of minced veal, of which he ate heartily, and afterwards, in wine and water, drank the healths of several of his friends.

In the meantime the sheriffs, attended by the proper officers, assembled on Tower hill, where every thing was in readiness for the execution, when about ten o'clock a most terrible accident damped public curiosity, and converted many idle and thoughtless spectators into real mourners. On that, as on other occasions of a like kind, scaffolds had been erected for the purposes of private gain, and the accommodation of the curious, one of which suddenly gave way, with upwards of four hundred people upon it, in consequence of which eight individuals were killed on the spot, and a vast multitude dreadfully bruised, twelve of them so severely, that they died next day. Many more lives would have been lost but for the prudent interference of lord Carpenter, who surrounded the spot with a detachment of the troops with which he had been intrusted to guard the execution, and employed another to remove the scaffolding, and set free the multitudes that were imprisoned underneath it.

About eleven o'clock, the sheriff with his attendants came to the Tower, and demanded the body of lord Lovat. This being communicated to his lordship, he requested that the curtains might be drawn a little till he put up a short prayer, which was complied with, and in a few minutes his lordship called them in, saying he was ready. At the foot of the first pair of stairs, general Williamson invited him into his own room to rest himself a little, as from his lameness the stairs were very troublesome to him. On entering the room, his lordship paid his respects to the ladies and gentlemen with great politeness, and conversed with the utmost freedom. He was carried to

the outer gate in the governor's coach, and delivered to the sheriff, who conducted him in another coach to a house near the scaffold, the same that had been similarly occupied by lords Kilmarnock and Balmerino, which had been lined with black cloth, and hung with sconces, for his lordship's reception. Here his lordship was taken into the immediate custody of the officers, and all his friends denied entrance; but on his requesting that his friends, who had accompanied him from the Tower, might be allowed to wait upon him to the scaffold, they were desired to walk in. His lordship then delivered to the sheriffs a paper, saying they might give the word of command when they pleased, and he would obey them. He then said a short prayer, desired that his clothes might be given to his friends along with his body, took a little burnt brandy and bitters, and was conducted to the scaffold, going up the steps to which he looked round him, and seeing so many people, exclaimed:—"God save us! why should there be such a bustle about taking off an old grey head, that can't get up three steps without two men to support it?" Observing here one of his friends very much dejected, his lordship clapped him on the shoulder, saying:—"Cheer up thy heart, man, I am not afraid, why should you?" Coming upon the scaffold, the first object of his attention was the executioner, to whom he presented his purse, saying:—"Here, Sir, is ten guineas for you, pray do your work well, for if you should cut and hack my shoulders, and I should be able to rise again, I shall be very angry with you." He then, with leave of the sheriff, took hold of the axe, felt its edge, saying, he believed it would do, looked at his coffin, on which was wrote:—SIMON DOMINUS FRASER DE LOVAT, DECOLLAT APRIL 9th, 1747, ÆTAT SUÆ 80; and sitting down in a chair placed for him, repeated from Horace:—*Dulce et decorum est pro patria mori*; and from Ovid:—

*Nam genus et proavos et quæ non fecimus ipsi,
Vix ea nostra voco.*

He then desired all the people to withdraw from him, except two warders, who supported him while he said a short prayer, after which he called for William Fraser, his solicitor, and agent in Scotland, to whom he gave his gold headed cane. He also

delivered to the said William Fraser his hat, and requested him to see that the executioner did not touch his clothes. After being undressed, he kneeled down to the block, took hold of the cloth which was to receive his head, and pulled it close into him: placing his head upon the block, he dropt his handkerchief, the appointed signal, in half a minute, and the executioner at one blow severed his head from his body. Both were immediately put into the coffin, and carried in a hearse back to the Tower. At four o'clock the same day the corpse was delivered to a Mr. Stevenson, an undertaker, who carried it to his house, near Exeter 'Change, where the head was sewed to the body, which was then soldered up in a leaden coffin, for the purpose of being sent down to his lordship's burying place in the church of Kirkhill, in Scotland. Apprehending, however, that the procession might be improved in that country for increasing disaffection, and raising sedition, the secretary of state sent, on Saturday, an order forbidding the corpse to be removed. On the Wednesday following an order was sent for the corpse to be conveyed to the Tower, to be there interred, which on Friday, the seventeenth, was done accordingly.*

With the exception of Dr. Cameron, brother to Lochiel, who was apprehended and executed upon his attainder some years after this, Lovat was the last who suffered capitally for this rebellion; and he was, notwithstanding the tranquillity of his last moments, by far the most notorious character that had been engaged in it, having betrayed all parties, and on many occasions forfeited his life to the outraged laws of his country. He had been in arms against king William, under general Buchan, in the year 1690, and, according to his own account, had been thrice imprisoned for rebellion before he was sixteen years of age. The insurgents under Buchan were scarcely dispersed, when Lovat, ever watchful of what he considered his interest, accepted of a captain's commission in lord Murray's regiment, and of course took the oaths to the government, which he, along with many others, in the prospect of an invasion in 1696 and 1697, intended to betray. About this same time he attempted to

* Narrative of the Life, Behaviour, &c. &c. of Simon, Lord Fraser of Lovat. London and Scots Magazines for 1747, &c. &c.

carry off the heiress of Lovat, in which being disappointed, he seized upon her mother, lady Amelia Murray, dowager of Lovat, whom he forcibly married, and with her took violent possession of the estate of Lovat.* In consequence of these pro-

* This marriage seems never to have been acknowledged by Lovat, after he attained the object it was meant to promote—the estate of Lovat—by other means. He passes it over in his *Genuine and Remarkable History*, in a manner, that without other and more accurate information, no reader can possibly understand. He affirms, however, that from his age, about twenty, his education, and his being the head of an eminent house, and a brave and respectable clan, he might have aspired to any match in the kingdom—"he had no reason, therefore, to commit the smallest violence upon a widow, who was old enough to be his mother, dwarfish in her person, and deformed in her shape, and with no other fortune than a jointure of two hundred and fifty pounds a year, which, itself, was dependent upon his good pleasure as master of Lovat." This, it is to be observed, was written by his lordship when he had every prospect of procuring, through the duke of Argyle and lord Ilay, a remission of all his crimes from the British government. The author of the *Genuine Narrative of his Life, &c.* James Fraser, says, that he forcibly married the lady dowager of Lovat; ordered his men to undress her and put her to bed, which they did, and were witnesses to the first act of consummation: and his father, in a letter to Argyle upon the subject, which is signed by a long list of Frasers, viz. Lovat, Foyers, Erchiet, Calduthell, Littlegirth, Gortuleg, Stug, and Kilbockie, says, "we have gained a considerable advantage by my eldest son's marrying the dowager of Lovat, and if it please God they live some years together, our circumstances will be very good. Our enemies are so galled at it, that there is nothing that malice can invent, but they design and practise against us. They'll have my son and his complices guilty of a rape, though his wife was married to him by a minister, and they have always since lived as man and wife." All this malice on the part of the Murrays, he affirms, arises from the circumstance, "that their design of appropriating the following and estate of Lovat to themselves, is made liable to more difficulties by that match." Argyle, on receiving this letter, writes on the subject to Mr. William Carstares, to be represented to king William, that the Murrays "dare not pursue him [Simon Fraser] for the rape or forcing the lady; for in that case, I do assure you, he is content to sist himself at the bar, and take his fate, and, which is more, he will adduce no witnesses, but refer all to the lady Lovat's own oath, if she did not voluntarily marry, send for the minister herself, and, which is more, if what passed betwixt them, in consequence of the marriage, was not as much her inclination as his." Notwithstanding of all this, Simon Fraser of Beaufort no sooner found himself, by the favour of the government, in possession of the estate of Lovat, and having a fair prospect of enjoying all its honours, than forgetting the "dwarfish and decrepid dowager," who was still alive, he made love to, and married in 1717, Margaret Grant, fourth daughter of Ludovick Grant of Grant, by whom

ceedings, he incurred the deadly hatred of the Athol family, through whose influence he was intercommuned, and had letters of fire and sword issued out against him and all his clan, upon which he retired first to the Isles, and afterwards to St. Germain's, where he made a tender of his services to James, and claimed his protection against the duke of Athol. In the meantime, through the duke of Argyle, he was soliciting a pardon from king William, which, with the assistance of his majesty's chaplain, the celebrated Mr. Carstairs, he was fortunate enough to obtain. Continuing, however, still to plot and to intrigue with the courts of France and St. Germain's, he was at last thrown into the bastille, from which he had the happiness to escape before the rising under the earl of Marr, in the year 1715. During that eventful year, he was fortunate enough to find his way over to his native country, where again taking the loyal side, he recalled the Frasers from the rebel camp at Perth, and was particularly active in reducing Inverness, which, at the time of his return, was in the hands of the rebels. For these services, he obtained a remission and rehabilitation under the great seal, in the month of March, 1716, with a gift from the crown of Mr. Mackenzie Fraser's life-rent of the estate of Lovat. In consequence of this, he succeeded, after a law process carried

he had three children, Simon, master of Lovat, Alexander, who died in 1768 unmarried, and Janet, married to Macpherson of Clunie. This is stated by Douglas in his *British Peerage* to have been his first marriage. On the death of this lady, his lordship married, in 1733, Primrose, fifth daughter of the Hon. John Campbell of Mamore, sister to John, fourth duke of Argyle, by whom he had a son, Archibald Campbell Fraser, who eventually succeeded to the estate of Lovat. This match was undoubtedly intended to strengthen his interests, and to extend his influence, but it had an entirely opposite effect. From the brutal usage she received, the lady was under the necessity of applying to her relations for protection, who compelled his lordship to allow her a separate maintenance. She was remarkable for her attentions to the costume, and her adherence to the etiquette of the olden time, and resided for the most part in Edinburgh, where she died in 1796, in the 86th year of her age. The dowager of Lovat lived to see both these marriages, but did not live to see Lovat pay the forfeit of his iniquities, having died at Perth in 1743, in the 80th year of her age.—*Memoirs of the Life of Lord Lovat, &c.* written by himself, pp. 60—64. *Genuine Narrative of the Life, &c. &c. of Simon, Lord Fraser of Lovat*, pp. 9, 10. *Carstairs' State Papers*, pp. 431—436. *Douglas' Peerage by Wood*, vol. ii. pp. 159, 160. vol. i. p. 148.

on for upwards of fourteen years, to all the honours, as well as to the immunities of that extensive and valuable estate. His ambition, however, and especially his avarice, appears to have been insatiable; and the promise of a dukedom, a general's commission, with the entire management of the Highlands, overset his prudence, and for these glittering distinctions, which at the age of eighty a wise man would suppose were to be deprecated rather than desired, he childishly threw away all the substantial advantages which very considerable abilities, ceaseless activity, unparalleled cunning, and undeviating selfishness had secured to him, in the course of a long and eventful life. A protracted course of successful wickedness, seems at last to have impaired his natural shrewdness; he dugged a pit into which he fell, spread a snare with his own hands in which he was caught; and in the just judgment of God, his hoar hairs came to the grave with blood.

The execution of this arch-traitor, has been, we think, very inconsiderately blamed as an act of inhumanity on the part of the British government. By the course of nature, indeed, he could not have long been troublesome to any government, but he was not the less proper for being made an example of on that account. Perhaps no chieftain in the Highlands set so high a value upon his chieftainship, no one executed its duties in a more despotic manner, and had he now been treated with lenity, that lenity would have been imputed to fear, as it had often been before in cases much less liable to be so interpreted. Acting on the soundest policy, and in the true spirit of humanity, the British ministry allowed the law to take its full effect upon the hoary traitor, but extended mercy to his son, who had been the unwilling victim of his villany. The honourable Simon Fraser, master of Lovat, who at the time of his father's death was a prisoner in the castle of Edinburgh, was of course allowed the following year to remove himself to Glasgow, there to remain during his majesty's pleasure, and in the year 1760, received a free pardon, the propriety of which was justified by every act of his future life. He was offered the command of a regiment in the French service, but this he declined, and in 1757, raised for the service of the British government a regiment of Highlanders, the greater part of them Frasers, consisting of one

thousand eight hundred men, of which he was of course constituted colonel. At the head of this regiment, he highly distinguished himself at Louisburg and at Quebec, at both of which places his regiment suffered severely. He was shortly after promoted to the rank of brigadier-general; and in 1774, had the estate of Lovat restored to him, subject to the payment of twenty thousand nine hundred and eighty-three pounds sterling. Shortly after this, he raised another regiment of Highlanders, the 71st, consisting of two battalions, of which he held the colonelcy till his death, which happened at London, in the month of February, 1782.

While the tribunals of justice were thus vindicating the outraged dignity of the laws, the houses of parliament were no less busily employed in providing against the possibility of such scenes of tumult and disorder being renewed. We have already noticed more than once the act, at different times revived, for disarming the Highlands, which was now enforced with a rigour far beyond any thing hitherto exemplified in Scotland; and, not content with proscribing to the mountaineers the use of arms, the legislature gravely forbade them the use of their ordinary garments, and to be dressed in tartans, or to wear a philibeg, was to avow rebellion, and draw down upon themselves the punishment of traitors.* All teachers, whether

* " And be it further enacted, &c. &c., That from and after the first day of August, 1747, no man or boy within that part of Great Britain called Scotland, other than such as shall be employed as officers and soldiers in his majesty's forces, shall, on any pretence whatsoever, wear or put on the clothes commonly called Highland clothes, that is to say, the plaid, philibeg, little kilt, trews, shoulder belt, or any part whatsoever of what peculiarly belongs to the Highland garb; and that no tartan, or party-coloured plaid, or stuff, shall be used for great coats, or for upper coats; and if any such person shall presume, after the said first day of August, to wear, or put on the aforesaid garments, or any part of them, every such person so offending, being convicted thereof by the oath of one or more credible witness or witnesses, before any court of justiciary, or any one or more justices of the peace for the shire or stewartry, or judge ordinary of the place where such offence shall be committed, shall suffer imprisonment, without bail, during the space of six months, and no longer; and being convicted for a second offence, before a court of justiciary, or at the circuits, shall be liable to be transported to any of his majesty's plantations beyond the seas, there to remain for the space of seven years."—Statutes at Large, vol. v. p. 589.

publicly, or as tutors in private families, were at the same time ordained to qualify themselves for their places, by taking the oaths appointed to be taken by all persons in offices of public trust, and causing certificates of their having so done to be entered in a book to be kept by the clerk of the shire, stewartry, or burgh, wherein they were to be employed. Episcopal ministers were also compelled to qualify, by taking the oaths of allegiance, abjuration, and assurance. Attested copies of having done so, they were to purchase at sixpence each, one of which was to be placed on the outside of each of their places of public meeting, near the door or entry, and another in some conspicuous place within. Of the wisdom or the propriety of some of these enactments, the unbiassed historian may well be allowed to doubt. The war upon checks, plaids, and philibegs, was certainly beneath the dignity of a British parliament; and if it was really a punishment, it was inflicted upon the innocent as well as the guilty. The episcopalians, both clergy and laity, had certainly conducted themselves with great imprudence, but we do not know that all the hardships imposed upon them, were either called for, or were the very best means that could have been devised for attaining the end in view. It is, indeed, strongly to be suspected, that a number of these petty and vexatious regulations were aimed rather at the country than the rebels that were in it, and happily these were but a feeble minority, though *finesse* on the one hand, and fear on the other, had reversed their appearance. Had the sentiments of the Scotch people really been such as the general spirit and bearing of some of these regulations supposed, they must have led to a renewal of those very evils they were intended to prevent. The spirit of the Jacobites, however, was now completely broken, and the presbyterians, though they saw and felt, many of them, the hostile aspect of these regulations, and the indignity done by them to the best feelings of the country, were yet so sensible of the dangers that their religion and liberty had been in from this desperate attempt of the Stuart and his abettors, that they gladly embraced their present security, and would have rejoiced in it, even though it had been at the expense of more painful sacrifices.

In England, where the spirit of freedom was more widely

diffused, and where there is even to this day a more prompt expression of popular feeling, many of these regulations that were intended to tranquillize Scotland were strongly resented, and a number of individuals of high rank and respectability, who had been perfectly quiet when the tide of rebellion was rolling around them, now manifested a very different spirit. The tartans that were proscribed on the mountains of Scotland, found their way into England, and became for a time, as the costume of fine ladies, the principal ornaments of the ball room. Gentlemen had their hunting hounds decorated with them, and on different occasions, where the dogs were thus distinguished, the fox was hunted in the royal livery.*

Among other acts passed for the benefit of Scotland, was an act of indemnity bearing, "that all his majesty's subjects of Great Britain shall be pardoned and discharged, against the king, his heirs and successors, of all manner of treasons, misprisions of treasons, felonies, treasonable and seditious words or libels, leasing making, misprisions of felony, seditious and unlawful meetings and conventicles, and all offences whereby any person may be charged with the danger and penalty of premunire, and of all trespasses, sums of money, &c. in this act not hereafter excepted and foreprized, which can be by his majesty pardoned, and have been committed, incurred, &c. before the fifteenth of June, 1747; that the general words in this act shall be expounded in the manner most beneficial for the subjects, and that they may plead it in discharge without any fees, but only sixteenpence to the clerk that shall enter such plea, provided that all grants of goods, debts, &c. made by such as have forfeited the same, and are hereby restored, shall be of such force as if no such forfeitures had been had or made."

From this act were excepted all persons in the service of the pretender on the said fifteenth of June, 1747; in that of the king of Spain since the nineteenth of December, 1739, being two months after his majesty's declaration of war against Spain; or in that of the French king since the twenty-ninth of April, 1744, being one month after the said king's declaration of war

* Papers of the day, &c.

against his majesty—all persons concerned in the late rebellion, or in any design for invading this realm by the forces of the French king, or other foreign force, or for raising or carrying on a rebellion within the same, who have been beyond seas at any time between the twentieth of July, 1745, and the said fifteenth of June, 1747; all persons attainted or convicted of high treason, on or before the said fifteenth of June, 1745, &c. &c. with a long list of particular persons, for which see note at the foot of the page.*

* From this indemnity the following persons were excepted:—

Charles, earl of Traquair,	Francis Gordon of Mill of Kincardine,
Alexander, earl of Kellie,	Robert Gordon of Logie, the younger,
Robert Macarty, styling himself earl of Clancarty,	James Gordon of Glasterum, otherwise Clastitrum,
Sir James Stewart, baronet, of Good-Trees,	Robert Graham of Garrick,
Sir John Douglas, baronet,	Patrick Grant of Glenmorrisson,
Sir James Harrington, baronet,	John Graham of Kilmardinny,
Sir James Campbell, baronet, of Auchinbreck, or otherwise Achinbreck,	David Hunter of Burntside, otherwise Burnside,
Sir William Dunbar, baronet, of Durn.	John Halden, otherwise Haldane, otherwise Haldon of Lanrick,
Sir Alexander Bannerman, of Elsick, baronet,	Alexander Halden, otherwise Haldane, otherwise Haldon, son to the said John,
Archibald Stewart, late provost of Edinburgh,	Andrew Hay, the younger of Ramus, otherwise Ranas,
Peter Barry, doctor in physick,	Alexander Irvine of Drum,
Thomas Blair of Glasclune,	George Kelly,
Alexander Blair, writer in Edinburgh,	James Levistonne, otherwise Livingstone, late postmaster of Falkirk,
Peter Byers, otherwise Byres, of Tonlay,	Cole, otherwise Col. Macdonal of Barisdale,
James Carnegie of Boysack,	Gregor M'Gregor, otherwise James Grame, otherwise Graham of Glen-gyle,
Charles Cuming of Kinnimond, otherwise Kinnimount,	Malcolm Macleod of Rasa,
William Cuming, the younger, of Pitully,	Archibald Menzies of Seyan, otherwise Shien,
Roderick Chisholm, of Comar, in Strathglass,	Gilbert Menzies, junior, of Pitfoodles,
Alexander Cameron of Dungallen,	Thomas Mercer, merchant in Aberdeen,
William Drummond of Bahaldie, otherwise Bohaldie,	William Moir of Lonemay, otherwise Longmay,
William Drummond of Callendar,	James Moir of Stonywood,
James Fraser of Foyers,	Æneas, otherwise Angus Macdonald, late Banker at Paris,
Simon Fraser of Avochnacloy,	James M'Donald, brother to M'Donald of Kinloch Moidart,
John Fraser, M'Gellspick,	John Murray, late clerk of the customs at Alloa,
Hugh Fraser, son to Alexander Fraser of Leat Clan,	Donald M'Donald of Inveroy,
James Farquharson of Balmurral, otherwise Balmurle,	John M'Donald, the elder of Glengary,
John Fullerton of Dudwick, the younger,	Alexander M'Donald of Glenco,
John Dow Fraser of Little Garth,	Robert Murray of Glencarnock,
John Fraser of Browich, late steward to lord Lovat,	Thomas Ogilvie of East Mill,
Thomas Fraser of Gortuleg,	Alexander Ogilvie of Acheries,
Alexander Garloch of Margie,	Thomas Ogilvie of Coull, merchant in Dundee,
Arthur Gordon of Carnousie,	John Riddle, otherwise Riddel of Grange,
George Gordon of Haughead, otherwise Hallhead,	David Robertson of Easter Bleaton,
John Gordon of Abachie, otherwise Abochie,	
James Gordon of Gobardie, otherwise Cobardie,	

An act was also passed for vesting the estates of the traitors in the crown, under the influence of which, they were for the most part leased out to favoured individuals, in small lots, and upon very easy terms. These acts, however, taken singly or altogether, would have been of little avail either for tranquilizing or improving the state of the country, had they not been followed by another for abolishing in Scotland those heritable jurisdictions, which, especially in the Highlands, were as yet as extensive as they had been in the most barbarous ages, and subjected the vassal, both in life and property, nearly, if not altogether, to the caprice of his superiors. As these jurisdictions, however, were considered as private rights belonging to certain families, and secured to them by the treaty of union, it was necessary that a compensation should be made to the possessors of them; in order to which, they were to enter their claims before the court of session, which was empowered summarily to examine and determine upon these claims, as well as upon the values attached to them.*

George Robertson of Faskelly,
James Robertson of Blairfetty,
Alexander Robertson of Strouan,
Duncan Robertson of Drummachan,
Donald Smith, merchant in Aberdeen,
David Smith of Inveramsay,
Daniel Spalding, otherwise Spaldane of
Ashertully,
James Stirling of Craig Barnett,
Charles Stewart of Ballachallan,
David Stewart of Kinnachin,
Robert Stewart of Killiharry, otherwise
Killihally,

John Turner, the younger of Turner-
hall,
Alexander Thomson, otherwise Thomp-
son of Fochfield, otherwise Fochfield,
otherwise Fairfield,
David Tulloch of Bugtown, otherwise
Bugtoun,
William Vauchan, the younger of Court-
field, in the countie of Monmouth,
Andrew Wauchopp, otherwise Warcupp
of Nidrie, esquire, and
Alexander White, the younger of Ardle-
hill.

These gentlemen were afterwards proceeded against in absence, for high treason, and true bills found against the greater part of them, in consequence of which their estates were placed at the mercy of the government.—*Scots Magazine* for 1747 and 1748.

* The following table shows how much was claimed by each, and how much was allowed by the court. The sums annexed to, and claimed for the different offices, we doubt not will appear to the reader to be enormous, but a short history of the manner in which they had been executed, would demonstrate that in many instances they were made to be fully worth the money; and by many of the possessors they were not given up but with the utmost reluctance. "If it were at my option," says one, "I would not have parted with them for any recompense in money as reckoning them of the greatest consequence to my family." "It would have been extremely agreeable to

This act was to take effect from the fifth day of March, 1748, and though it gave much offence, and was violently opposed, was certainly the most beneficial for Scotland of any that had been passed since the Union. By it "all heritable

your petitioner," says another, "to have continued in the possession of this right of jurisdiction, which has been enjoyed by him and his predecessors for several hundred years;" and after hoping the compensation will be at least L.9000, he adds, "at least he is certain, that that sum would not have tempted him to have made a voluntary alienation of it."

Dukes.

1.—Hamilton (and Brandon) James—Hamilton.	
Sheriff of the shire of Lanark,	L.10,000 0 0
Justiciar of the island of Arran,	3,000 0 0
Do. and lord of the regality of Hamilton,	25,000 0 0
	<u>L.38,000 0 0</u>

Reduced by the court of session
to L.3,400

2.—Buccleugh, Francis Scott, and Francis earl of Dalkeith, his son.	
Lord of the regality of Liddesdale,	L.3,000 0 0
Do. do. Dalkeith,	4,000 0 0
Do. do. Hawick,	3,000 0 0
Do. do. Eskdale,	4,000 0 0
Lord and baillie of the regality of Musselburgh,	3,000 0 0
	<u>L.17,000 0 0</u>

Reduced to ... L.3,400

3.—Gordon, Cosmo George Gordon.	
Sheriff of the shire of Aberdeen,	L.3,000 0 0
Do. do. Inverness,	2,000 0 0
Lord of regality and justiciar of Huntly,	10,000 0 0
Lord of the regality of Urquhart,	1,000 0 0
Baillie of the regality of Spynie,	2,000 0 0
Do. Keig and Monymusk,	500 0 0
Do. Kinloss,	1,500 0 0
Do. the bishop of Aberdeen's lands in Aberdeen and Banff shires,	2,000 0 0
Constable of the castle of Inverness,	300 0 0
	<u>L.22,300 0 0</u>

Reduced to ... L.5,282 19 6

4.—Queensberry (and Dover,) Charles Douglas.	
Sheriff of the shire of Dumfries,	L.6,000 0 0
Lord of the regality of New Dalgarno,	8,000 0 0
Baillie over the lands of Patterstoun, &c.	500 0 0
	<u>L.14,500 0 0</u>

Reduced to ... L.6,621 8 5

5.—Argyle, Archibald Campbell.	
Sheriff of the shire of Argyle,	L.5,000 0 0
Justice-general of the shire of Argyle, and of the whole islands of Scotland, excepting Orkney, Zetland, and Arran,	15,000 0 0
Lord of the regality of Campbell, baillie of the bailliery of Trece, baillie and steward of the earldom and lordship of Argyle, and constable and keeper of the castles of Dunoon, &c.	5,000 0 0
	<u>L.25,000 0 0</u>

Reduced to ... L.21,000

6.—Douglas, Archibald Douglas.

Lord of the regality of Kerrymuir,	L.3,000 0 0
Do. do. Abernethy,	2,000 0 0
Do. do. Selkirk,	2,000 0 0
Do. do. Jedburgh forest,	4,000 0 0
Do. do. Bunkie and Preston,	4,000 0 0
Do. do. Bothwell,	2,000 0 0
Do. do. Douglas,	5,000 0 0
Do. do. Dudhope,	4,000 0 0
Constable of Dundee,	6,000 0 0
	<u>L.34,000 0 0</u>

Reduced to ... L.5,104 5 1

7.—Athol, James Murray.	
Lord of the regality of Athol,	L.6,000 0 0
Baillie of the regality of Dunkeld,	2,000 4 0
Constable of the constabulary of Kinclaven,	700 0 0
Constable of the constabulary of Falkland, and steward of the stew- ardry of Fife,	2,100 4 0
Constable of the constabulary and steward of the stewardry of Hunt- ingtower,	900 0 0
Sheriff of the shire of Perth for fife,	5,000 0 0
	<u>L.17,400 8 0</u>

Reduced to ... L.4,083 18 0

8.—Montrose, William Graham.	
Sheriff of the shire of Dunbarton,	L.3,000 0 0
Lord of the regality of Lennox,	4,000 0 0
Do. do. Montrose,	4,000 0 0
Do. do. Darnley,	3,000 0 0
Do. do. Monteith,	1,000 0 0
	<u>L.15,000 0 0</u>

Reduced to ... L.5,578 18 4

9.—Roxburgh, Robert Ker.	
Baillie of the regality of Kelso,	L.2,000 0 0
Do. do. Sproustan,	1,000 0 0
Baillie and justiciar of the baronies of Ancrum, Lilliesleaf, and Askir, in the regality of Glasgow,	1,000 0 0
	<u>L.4,000 0 0</u>

Reduced to ... L.2,100 0 0

Marquesses.

10.—Wooddale, John Hay.	
Baillie and justiciar of the regality of Dunfermline,	L.7,000 0 0
Constable and keeper of the palace of Dunfermline,	1,000 0 0
	<u>L.8,000 0 0</u>

Reduced to ... L.2,072 7 0

11.—Lothian, William Henry Ker.	
Lord and baillie of the regality of the temple lands, Oxnam, &c.	L.1,000 0 0
Rejected.	

jurisdictions of justiciary, and all regalities and heritable baileries, and all heritable constabularies, other than the office of high constable of Scotland, and all stewartries, being parts only of shires or counties, and all sheriffships, and deputy

12.—Annandale, George Johnston.			
Steward of the stewartry of Annan.			
dale,	L.4,000	0	0
Justiciar and lord of the regality of Moffat,	6,000	0	0
Keeper of the castle of Lochmaben,	1,000	0	0
	<hr/>		
	L.11,000	0	0
Reduced to ...	L.3,000		

EARLS.

13.—Crawford, William Lindsay, his creditors.			
Baillie, steward, and general justiciar and coroner of the regality of St. Andrews, on the north side of the Forth,	L.4,000	0	0
Reduced to ...	L.3,000		

14.—Errol, Mary Hay.			
Lord of the regality of Slains,	L.5,000	0	0
Reduced to ...	L.1,200		

15.—Sutherland, William Sutherland.			
Sheriff and coroner of the shire of Sutherland,	L.4,000	0	0
Lord of regality of the earldom of Sutherland,	6,000	0	0
Baillie of the regality of Spynie, in Strathnaver,	100	0	0
Baillie of the bishop of Caithness' lands in Sutherland and Strathnaver,	500	0	0
Constable of the castles of Skibo and Dornock,	200	0	0
	<hr/>		
	L.10,800	0	0
Reduced to ...	L.1000		

16.—Roths, John Leslie.			
Sheriff of the shire of Fife,	L.10,000	0	0
Reduced to ...	L.6,208	16	0

17.—Morton, James Douglas.			
Sheriff, justiciar, and steward of the shire and stewartry of Orkney and Zetland,	15,000	0	0
Lord of the regality of the earldom of Morton,	3,000	0	0
Lord of regality over half the lands of Langton,	500	0	0
	<hr/>		
	L.18,500	0	0
Reduced to ...	L.7,240	2	0

18.—Eglinton, Alexander Montgomery.			
Sheriff of the shire of Renfrew, and baillie of the regality of Paisley, with the interest since 1642,	L.5,000	0	0
Baillie of the bailiery of Cunningham,	5,000	0	0
Baillie and justiciar of the regality of Kilwinning,	2,000	0	0
	<hr/>		
	L.12,000	0	0
Reduced to ...	L.7,800		

19.—Cassils, John Kennedy.			
Baillie of the bailiery of Carrick,	L.8,000	0	0
Baillie over the lands of Monkland of Melrose,	1,000	0	0
Baillie of the bishop of Galloway's lands on the water of Cree,	1,000	0	0
Baillie of the lordship or regality of Glenluce,	2,000	0	0

Lord of the regality of Cross-Raguel in Carrick,			
Keeper of the castle of Lochdown,	1,000	0	0
	<hr/>		
	L.12,100	0	0
Reduced to ...	L.1,800		

20.—Caithness, Alexander Sinclair.			
Sheriff and justiciar of the shire of Caithness,	L.8,000	0	0
N. B. This is claimed likewise by Sinclair of Ulbster, and to him it was adjudged.— <i>Vide</i> No. 134.			

21.—Moray, James Stewart.			
Sheriff of the shire of Murray or Elgin, and Forres,	L.8,000	0	0
Steward of the stewartry of Monteith,	5,000	0	0
Lord of regality over the citadel of Inverness,	1,000	0	0
	<hr/>		
	L.14,000	0	0
Reduced to ...	4,800		

22.—Nithdale, William Maxwell.			
Lord of the regality of Terregles,	L.1,200	0	0
Baillie over the lands of the abbacy of Holywood,	1,200	0	0
Do. monastery of Sweetheart,	800	0	0
Do. do. Dundrennan,	1,400	0	0
Do. do. Tungland,	500	0	0
Do. provostry of Lincluden,	1,400	0	0
	<hr/>		
	L.6,600	0	0
Reduced to ...	L.503	4	1

23.—Home, William Home.			
Sheriff of the shire of Berwick,	L.6,000	0	0
Steward of the earldom of March,	2,000	0	0
	<hr/>		
	L.8,000	0	0

N. B. These were claimed likewise by the earl of Marchmont, along with the regality of Marchmont, as adjudger from the earl of Home, and appear to have been set aside.—*Vide* No. 38.

24.—Peth, James Drummond, his creditors.			
Steward of the stewartry of Strathern, Glenartney, and Balquhiddier, and lord of regality, and justiciar of Drummond,	L.8,463	0	0
Rejected.			

25.—Strathmore, Thomas Lyon.			
Constable of the burghs of Forfar and Kinghorn,	L.2,000	0	0
Coroner of the shires of Forfar and Kincardine,	500	0	0
	<hr/>		
	L.2,500	0	0
Reduced to ...	L.600		

26.—Galloway, Alexander Stewart.			
Baillie of regality of the priory of Whithorn,	L.3,000	0	0
Steward of the stewartry of Gairlies,	2,000	0	0
Bailiery and regality over the Islands of Barray, &c. in Orkney,	1,000	0	0
	<hr/>		
	L.6,000	0	0
Reduced to ...	L.381	6	0

sheriffships of districts, being parts only of shires or counties, belonging unto, or possessed or claimed by any subject or subjects, and all jurisdictions, powers, authorities, and privileges thereunto appurtenant or annexed, or dependant there-

27.—Lauderdale, James Maitland.
Lord of the regality of Thirlestane,
and baillie of the lordship of Lau-
derdale, L.8,000 0 0
Reduced to L.1,000

28.—Kinnoul, George Hay.
Lord and justiciar of the regality of
Balhousie, L.3,000 0 0
Reduced to L.800

29.—Loudon, John Campbell.
Lord of the regality of Mauchlane, L.3,000 0 0
Do. do. Loudon, 3,000 0 0
Sheriff of the shire of Ayr for life, 5,000 0 0
L.11,000 0 0
Reduced to ... L.2,675 5 9

30.—Dumfries, William Crichton.
Sheriff and forester of the shire of
Clackmannan, L.5,000 0 0
Lord of the regality of Cumnock and
Glenmure, 2,000 0 0
L.7,000 0 0
Reduced to ... L.2,400 0 0

31.—Airlie, John Ogilvie.
Baillie of the regality of Aberbro-
thick, L.2,000 0 0
Baillie of regality over the lands of
the abbacy of Coupar, 2,000 0 0
Baillie over the lands of the bishop of
Brechin, 1,000 0 0
L.5,000 0 0
Reduced to ... L.2,800 0 0

32.—Findlater and Seafield, James Ogilvie.
Lord and justiciar of the regality of
Ogilvie, L.2,000 0 0
Baillie of the barony of Strathla, part
of the regality of Kinross, ... 1,500 0 0
Constable of the constabulary of
Cullen, 2,000 0 0
L.5,500 0 0
Reduced to ... L.1,084 19 4

33.—Selkirk, Dunbar, Hamilton.
Baillie of the regality of Crawford
John, L.2,000 0 0
Baillie of the bailliery of Crawford,
Douglas, 1,500 0 0
L.3,500 0 0

Rejected.

34.—Dundonald, W. Cochran.
Lord of the regality of Paisley, L.3,000 0 0
Rejected.

35.—Kintore, John Keith.
Baillie of regality over the barony of
Keith hall, part of the regality of
Garioch, L.1,200 0 0
Rejected.

36.—Breadalbane, John Campbell, &c.
Baillie of the lordships of Deshler
and Toyer, &c. L.6,000 0 0
Reduced to L.1,000

37.—March, William Douglas.
Sheriff of the shire of Peebles, L.4,000 0 0
Lord of regality and justiciar of
Newlands and Linton, 1,500 0 0
L.5,500 0 0
Reduced to ... L.3,418 4 5

38.—Marchmont, H. Hume.
Lord of the regality of Marchmont, L.1,500 0 0
His lordship claimed also to be sheriff
of the shire of Berwick, ... 6,000 0 0
and steward of the earldom of
March.—*Vide* No. 23. 2,000 0 0
L.9,500 0 0
Reduced to ... L.300

39.—Cromertie, George Mackenzie, Macleod of
Catholl, an adjudger, and George, the earl's
second son by a talsie.
Sheriff of the shire of Cromertie, L.5,000 0 0
Lord of regality and justiciar of
Tarbert, 2,000 0 0
Baillie of the regality of Fearn, ... 2,000 0 0
Baillie of the burgh of Tain and
Little Kindals, 1,000 0 0
Baillie of the lands of the bishop of
Ross, 1,000 0 0
Baillie over the lands of Catholl, &c.
part of the regality of Spynie, ... 1,000 0 0
L.12,000 0 0
Reduced to L.1,911 5 6

40.—Stair, John Dalrymple.
Baillie of the lordship and regality of
Glenluce, L.2,000 0 0
Baillie over the lands of Inch, &c. 1,000 0 0
Lord of regality over the temple
lands of Philipston, 100 0 0
Privilege of regality over the lands of
Breastmill, 100 0 0
L.3,200 0 0
Reduced to ... L.450

41.—Bute, John Stewart.
Sheriff of the shire of Bute, ... L.4,000 0 0
Lord of the regality of Bute, ... 3,000 0 0
Constable of the castle of Rothsay, 1,000 0 0
L.8,000 0 0
Reduced to L.2,186 9 3

42.—Hopetoun, John Hope.
Sheriff of the shire of Linlithgow, L.3,000 0 0
Do. Bathgate, 2,000 0 0
Baillie, coroner, and justiciar of the
regality of St. Andrews, on the
south side of the Forth, ... 1,500 0 0
Baillie of the bailleries of Crawford
muir, and the provostry of Kirk
Haugh, 500 0 0
L.7,000 0 0
Reduced to ... L.4,568 16 1

VISCOUNT.

43.—Stormont, David Murray.
Lord of regality over the temple
lands in the shire of Perth, and
stewartry of Strathern, ... L.2,000 0 0

upon, were abrogated, taken away, and totally dissolved and extinguished." These jurisdictions, powers, and authorities, were vested in the court of session, court of justiciary at Edinburgh, the judges in the several circuits, and the courts of the

N. B. He claimed also as steward of

Annandale.—*Wks* No. 12. ... 3,000 0 0
 Reduced to ... L.5,000 0 0

Rejected.

Loans.

44.—Forbes, James Forbes.
 Baillie of the parsonage of Kin-
 cardine, part of the bishop of
 Aberdeen's patrimony, ... L.500 0 0
 Rejected.

45.—Salton, Alexander Fraser.
 Lord of the regality of Philorth, L.1,500 0 0
 Reduced to ... L.158 18 4

46.—Gray, John Gray, and Margaret, his lady.
 Sheriff of the shire of Forfar, ... L.2,000 0 0
 Keeper of the river Tay, and the
 rivers and waters running into it, 500 0 0
 Reduced to ... L.2,500 0 0

Rejected.

47.—Rossa, George Rossa.
 Constable of the burgh of Benfrew, L.500 0 0
 Rejected.

48.—Torphichen, James Sandilands.
 Lord of the regality of Torphichen, L.2,000 0 0
 Reduced to ... L.154 12 6

49.—Blantyre, Walter Stewart.
 Lord of regality of the lands of
 Easter Kilpatrick, &c. ... L.3,000 0 0
 Reduced to ... L.200

50.—Dalmeny, John Primrose.
 Lord of the regality of Primrose, L.2,000 0 0
 Reduced to ... L.101 13 7

LADIES.

51.—Henrietta, dutchess dowager of Gordon.
 Baillie of regality over her estate of
 Prestonhall, part of the regality of
 St. Andrews, ... L.500 0 0
 Reduced to ... L.25 9 10

52.—Sus. Countess of Eglington.
 Lord of the regality of the citadel of
 Ayr, ... L.1,000 0 0
 Rejected.

53.—Henrietta, countess dowager of Hopeton.
 Steward of the stewardry of Kirkcud-
 bright, ... L.5,000 0 0
 This claim was made with consent of
 the marquis of Annandale, and was
 granted. ... L.5,000

54.—Lady Isabella Scott.
 Baillie of the lordship and regality of
 Melrose, ... L.5,000 0 0
 Reduced to ... L.1,200

55.—Lord Bracco, William Duff.
 Lord of the regality of Pluscardine, L.1,000 0 0
 Baillie of the regality of Strathilla, 400 0 0
 Reduced to ... L.1,400 0 0

Reduced to ... L.82 2 1

BARONETS.

56.—Agnew, Andrew of Lochnaw.
 Sheriff of the shire of Wigton, L.5,000 0 0
 Baillie of the bailliere of Laswade, 1,000 0 0
 Constable of the castle of Lochnaw, 1,000 0 0
 Reduced to ... L.7,000 0 0

Reduced to ... L.4,000

57.—Anstruther, John of Anstruther.
 Baillie of the lordship and barony of
 Pittenweem, ... L.500 0 0
 Reduced to ... L.222 15 8

58.—Bruce, John, of Kinross.
 Lord of regality and justiciar of Kin-
 ross, ... 2,000 0 0
 Reduced to ... L.943 13 8

59.—Campbell, James, of Ardkinglas, and others.
 Baillie of the barony of Gargun-
 nock in Stirlingshire, ... L.500 0 0
 Privilege of regality over the lands of
 Cambusnooh, &c. in Dumbarton-
 shire, ... 1,000 0 0
 Baillie over the lands of Ardkinglas,
 &c. in Argyllshire, holden of Ar-
 gyle, ... 1,500 0 0
 Reduced to ... L.3,000 0 0

Rejected.

60.—Campbell, James, of Auchinbreck, his
 creditors.
 Baillie over his lands in Argyll-
 shire, holden of Argyll, ... L.2,500 0 0
 Rejected.

61.—Campbell, Duncan, of Lochneil.
 Privilege of regality, justiciary, and
 baillie over his barony of Muc-
 kairn, part of the lands that be-
 longed to the monastery of Icolm-
 kill, ... L.1,500 0 0
 Reduced to ... L.85 16 4

62.—Cunningham, John, of Caprington.
 Lord of regality over the temple
 lands within the bailleries of Kyle
 Stewart and King's Kyle, which
 formerly belonged to lord Tor-
 phichen, ... L.2,000 0 0
 Rejected.

63.—Dickson, Robert, and William Stewart of
 Carberry, Esq.
 Privilege of regality over the lands of
 Carberry, part of the regality of
 Musselburgh, ... L.500 0 0
 Rejected.

64.—Forbes, Arthur, of Craigievar.
 Lord of the regality of Logiefintray, L.2,000 0 0
 Baillie over the lands in Inverury
 parish, and other four parishes, 2,000 0 0
 Reduced to ... L.400

65.—Gordon, John, of Invergordon, his creditors.
 Baillie of regality and depute-sheriff
 over certain lands in Cromertie-
 shire, ... L.2,000 0 0
 Reduced to ... L.37 15 8

sheriffs and stewards of shires or counties, and others of the king's courts respectively. The heritable sheriffships were resumed, and annexed to the crown. All judges were by this act required to qualify, by taking the oaths to government; with

65.—Grant, Ludewick of Grant.
Lord of the regality of Grant, L.5,000 0 0
Reduced to ... L.900

67.—Hay, Thomas, of Alderston.
Baillie of regality over his lands of
Upstoun, part of the regality of
Thirlstain, ... L.150 0 0
Rejected.

68.—Lockhart, James, of Carstairs.
Baillie of regality over his lands, de-
rived from the archbishop of Glas-
gow, ... L.1,000 0 0
Reduced to ... L.65 19 9

69.—Menzies, R. of Menzies.
Baillie of the lordship of Appin and
Dull, ... L.1,900 0 0
Rejected.

70.—Sharp, James, of Strathtyrum.
Baillie of the lordship and barony of
the archdeanery of St. Andrews, L.100 0 0
Rejected.

71.—Stewart, Archibald, of Castlemilk.
Privilege of regality over his lands of
Dumcyrne, part of the regality of
Kilmarnock, ... L.200 0 0
Rejected.

GENTLEMEN.
72.—Abercrombie, Tilliebody.
Bailliery over the barony of Menstrie,
Clackmannanshire, holden of Ar-
gyle, ... L.500 0 0
Rejected.

73.—Baillie, Obriachan.
Baillie of regality of Lovat for life,
by com. from Lovat, ... L.166 4 0
Rejected.

74.—Barclay, Collierny.
Baillie of the regality of Lindores, L.1,500 0 0
Reduced to L.915 0 0

75.—Binning, Wallyford.
Privilege of regality over his lands of
Wallyford, &c. part of Musselburgh
regality, ... L.900 0 0
Rejected.

76.—Birnie, Broomhill.
Privilege of regality over his lands of
Almerness, in Kircudbright stew-
artry, ... L.400 0 0
Rejected.

77.—Brodie, Lethen.
Lord of the regality of Kinross, and
baillie of a part of said regality, L.4,000 0 0
Rejected.

78.—Bruce, Charles.
Sheriff of the shire of Kinross, L.3,000 0 0
Granted, ... L.2,000

79.—Campbell, Blytheswood.
Baillie of regality over his lands of
Inchryan, &c. part of Darnley
regality, ... L.400 0 0

Baillie of regality over his lands of
Blytheswood, &c. part of Glasgow
regality, ... 100 0 0
L.300 0 0

Rejected.

80.—Campbell, Bogaban.
Baillie over the lands of Bogaban,
&c. holden of Argyle, ... L.1,000 0 0
Rejected.

81.—Campbell, Calder.
Sheriff of the shire of Nairn, ... L.3,000 0 0
Baillie of regality over the temple
lands of Ardarier, ... 500 0 0
Constable of the constabulary of the
castle of Nairn, ... 500 0 0
L.4,000 0 0
Reduced to L.2,000 0 0

82.—Campbell, Dunstaffnage.
Baillie of the lands and constable of
the castle of Dunstaffnage, Argyle-
shire, holden of Argyle, ... L.500 0 0
Rejected.

83.—Campbell, Duntroon.
Bailliery of the lands of Ariakoodnah,
Argyleshire, holden of Argyle, L.900 0 0
Rejected.

84.—Campbell, Glenlyon.
Bailliery of regality over his lands of
Ballinald, &c. part of Athol regality, L.900 0 0
Rejected.

85.—Campbell, Innellan.
Bailliery and stewardry of Dunoon,
&c. Argyleshire, holden of Argyle, L.500 0 0
Rejected.

86.—Campbell, Inveraw.
Bailliery and stewardry of Over Loch-
how, &c. Argyleshire, holden of
Argyle, ... L.500 0 0
Rejected.

87.—Campbell, Jura.
Bailliery of the island of Jura, Ar-
gyleshire, by progress from Calder, L.500 0 0
Rejected.

88.—Campbell, Knockbule.
Bailliery over his lands of Kirk-
michael, &c. Argyleshire, holden
of Argyle, ... L.1,900 0 0
Rejected.

89.—Campbell, Mamore.
Bailliery over the lands of Ardin-
cable, part of Lennox regality, L.1,000 0 0
Rejected.

90.—Campbell, Shawfield.
Lord of the regality of Thankerton, &c. L.300 0 0
Rejected.

91.—Campbell, Stonedfield.
Baillie of regality over his lands of
Mairwhomarie, &c. Dumbarton-
shire, ... L.1,000 0 0

all procurators, writers, agents, or solicitors, taking upon them to manage any business in any of the Scottish courts.

Of the same nature and tendency as the jurisdiction act, and in the same session of parliament, was passed, "An act for

Baillie over the lands of Kilmahais, &c. Argyleshire, holden of Argyle, L.1,000 0 0	106.—Foa, Clasteren. Baillie over the island of Shapin- shay, Orkney, L.500 0 0
Rejected. L.2,000 0 0	Rejected.
92.—Campbell, Succoth. Privilege of regality over his lands of Otter, &c. part of Kilpatrick re- gality, L.600 0 0	106.—Gillon, Wallhouse. Privilege of regality over his lands of Wallhouse, part of Torphichen re- gality, L.300 0 0
Rejected.	Rejected.
93.—Carmichael, Balmedie. Baillie of the regality of Abernethy, L.500 0 0	107.—Goldie, Alexander, writer to the signet. Privilege of regality over his lands of Airdrie, &c. in Kirkcudbright stewartry, L.31 1 0
Reduced to L.187 11 11	Rejected.
94.—Charteris, Amisfield. Privilege of regality over his lands of Woolmet, &c. part of Musselburgh regality, L.1,000 0 0	108.—Gordon, Eilon. Baillie of the regality of Eilon, L.600 0 0 Constable of Aberdeen, ... 1,000 0 0 Justiciar upon the water of Ythan, 400 0 0
Rejected.	L.2,000 0 0
95.—Colvil, Ochiltree. Baillie of the regality of Culross L.1,500 0 0	Rejected.
Reduced to L.633 6 8	109.—Gordon, Fyvie. Lord of the regality of Fyvie, L.1,000 0 0
96.—Corrie, Keltonhill. Baillie over his lands of Keltonhill, &c. in Kirkcudbright stewartry, from Nithsdale, L.100 0 0	Rejected.
Rejected.	110.—Graham, Airth. Privilege of regality over his barony of Airth, L.1,000 0 0
97.—Dalrymple, Nunraw. Baillie of the monastery of Hadding- ton, and over the lands held of it, L.1,000 0 0	Rejected.
Rejected.	111.—Graham, Breckness. Baillie over the parishes of Sand- wick and Stromness, Orkney, L.1,500 0 0
98.—Dickson, Kilbucho. Privilege of regality in his barony of Kilbucho, part of Dalkeith regality, L.1,000 0 0	Rejected.
Rejected.	112.—Graham, Grahamshall. Baillie over the parishes of Holm and Paplay, Orkney, ... L.1,000 0 0
99.—Douglas, Deanbrae. Sheriff of the shire of Roxburgh, L.10,000 0 0	Rejected.
Rejected.	113.—Halliburton, Newmaine. Baillie over his lands of Lasnedden, &c. part of the abbacy of Dryburgh, L.200 0 0
100.—Douglas, Edrington. Privilege of regality over his lands of Nether Mordington, L.300 0 0	Rejected.
Rejected.	114.—Hamilton, John, advocate. Lord of the regality of Drum, erected in 1617, Temple lands, ... L.3,000 0 0
101.—Drummond, Cromlix. Baillie and justiciar of the baillie and regality of Dunblane, ... L.1,000 0 0	Reduced to ... L.500
Reduced to ... L.400	115.—Hawthorn, Castlewieg. Baillie and justiciary over the bar- onage of Busby, L.1,000 0 0
102.—Dunbar, Grangehill, his creditors. Privilege of regality, baillie and justiciary over the estate of Grange- hill, L.500 0 0	Rejected.
Rejected.	116.—Hay, Lawfield. Baillie and chamberlain of the lord- ship of Dunbar, L.1,500 0 0
103.—Erskine, Dun. Constable and sheriff of the town of Montrose, L.3,000 0 0	Reduced to ... L.800
Reduced to ... L.500	117.—Hay, Mordington. Privilege of regality over his barony of Mordington, L.150 0 0
104.—Falconer, Monkton. Privilege of regality over his lands of Little Monkton, &c. part of Mus- selburgh regality, L.300 0 0	Rejected.
Rejected.	118.—Heriot's Hospital. Lords of the regality of Broughton, L.5,000 0 0
	Reduced to L.485 19 8

taking away the tenure of wardholdings in Scotland, and for converting the same into blanch and feuholdings, and for regulating the casualty of non-entry in certain cases, and for taking away the casualties of single and life-rent escheats, in-

119.—Honeyman, Graemesay.
Baillie of the parishes of Evie, Stec-
ness, and Sandwick, in Orkney, L.1,000 0 0
Baillie of the island Graemesay, &c.
Orkney, 1,500 0 0
L.2,500 0 0

Rejected.

120.—Hunter, Andrew, writer.
Privilege of regality over his lands of
Park, in Darnley regality, ... L.150 0 0
Rejected.

121.—Lockhart, Carnwath.
Privilege of regality in the barony of
Braidwood, from Lauderdale, L.1,000 0 0
Rejected.

122.—Macdonald, Iargie.
Bailliery over his own lands in the
lordship of Kintyre, ... L.500 0 0
Rejected.

123.—Macdonald, Castle Sempie.
Privilege of regality and justiciary of
his lands of Glen, &c. part of
Paisley regality, L.2,000 0 0
Rejected.

124.—Macintosh, Macintosh.
Steward of the lordship of Lochaber, L.5,000 0 0
Rejected.

125.—Maclean, Lochbula.
Baillie of the bailliery of Morovis and
Mulerois, L.500 0 0
Rejected.

126.—Macmillan, Alexander, writer to the signet.
Privilege of regality over his lands of
Bairwhanne, part of Kilmarnock
regality, L.100 0 0
Rejected.

127.—Macniel, Colonsay.
Bailliery of the islands of Colonsay
and Oronsay, Argyleshire, holden
of Argyle, L.1,200 0 0
Rejected.

128.—Macniel, Taynish.
Baillie or steward, coroner or officer,
and sergeant major of fee over the
lands of Gya, &c. Argyleshire,
holden of Argyle, L.500 0 0
Rejected.

129.—Maxwell, Preston, his representatives.
Privilege of regality over the barony
of Preston, by progress from the
family of Nithsdale, L.900 0 0
Rejected.

130.—Murray, Philiphaugh.
Sheriff of the shire of Selkirk, L.8,000 0 0
Reduced to ... L.4,000

131.—Murray, Stenhope, his creditors.
Baillie and justiciar of the lands and
tenantry of Stobo, L.1,000 0 0
Rejected.

132.—Riddel, Glenriddel.
Baillie over the lands of Dalgonar,
&c. part of the abbacy of Melrose, L.500 0 0
Rejected.

133.—Riddel, Newhouse.
Privilege of regality over his own
lands, part of Terregles regality, L.700 0 0
Rejected.

134.—Sinclair, Ulbster.
Sheriff and chamberlain of the shire
of Caithness, L.5,000 0 0
Justiciar of the said shire, ... 3,000 0 0
Constable of the castle of Scrabster,
and baillie of the bishop of Caith-
ness' lands within the said shire,—
Vide No. 29. 1,000 0 0
L.9,000 0 0

Reduced to ... L.3,182

135.—Smith, Methven.
Lord of the regality of Methven, L.1,500 0 0
Privilege of regality over the lands
of Gartowhern, &c. 300 0 0
L.1,700 6 0

Reduced to ... L.350

136.—Stewart, Allantoun.
Baillie of regality over the lands of
Staine, &c. part of Aberbrothuck
regality, L.900 0 0
Rejected.

137.—Stewart, Northaide.
Privilege of regality over his lands of
Abir, part of Kilmarnock regality, L.900 0 0
Rejected.

138.—Traill, Woodwick.
Baillie over his lands of Woodwick,
&c. in Orkney, L.500 0 0
Rejected.

139.—Urquhart, Meldrum.
Deputy sheriff over his barony of
Cromarty, L.800 0 0
Constable of the castle of Cromarty, L.200 0 0
Baillie over certain of the bishop of
Ross's lands, L.200 0 0
L.1,200 0 0
Reduced to L.50 19 1

140.—Wallace, William, advocate.
Baillie of regality of the Temple lands,
of old belonging to lord Torphichen,
within the bailliery of Cunningham
and regality of Kilwinning, ... L.500 0 0
Rejected.

141.—Watson, Saughton.
Baillie of regality over the lands of
Saughton, part of the regality of
Broughton, L.600 0 0
Rejected.

142.—Wauchop, Edmonston.
Privilege of regality over his lands of
Edmonston, &c. part of Mussel-
burgh regality, L.1000 0 0
Rejected.

curred there by horning and denunciation for civil cases, and for giving to heirs and successors there a summary process against superiors, and for discharging the attendance of vassals at head courts there, and for ascertaining the services of ten-

143.—Wilson, Kelton. Baillier over his lands of Kelton, &c. in Kirkcudbright stewartry, ... L.200 0 0 Rejected.	152.—Hamilton, Claud, of the bail- liery of Carrick, by commission from Cassilis, E. L.800 0 0 Reduced to L.900
144.—Wright, Lattan, and Smith, Balhary. Depute baillies of the regality of Coupar, for life, by commission from Airly, L.300 0 0 Rejected.	153.—Johnstone, George, of the stewartry of Fife, by commission from Athol, D. L.400 0 0 Reduced to L.100
145.—Yuill, Darlieth. Privilege of regality over the Mains of Kilmarnock, part of said re- gality, L.200 0 0 Rejected.	154.—Macdonald, Hugh, of the shire and reg. of Sutherland, by commis- sion from Sutherland, E. ... L.700 0 0 Rejected.
CLERKS FOR LIFE.	155.—MacEwen, William, of the re- gality of Dunkeld, by commission from Athol, D. L.300 0 0 Rejected.
146.—Bisset, Thomas, of the regality of Athol, by commission from Athol, D. L.500 0 0 Reduced to L.400	156.—Marshall, James, of the bailliery of Cunningham and regality of Kilwinning, by commission from Eglinton, E. L.1900 0 0 Reduced to L.400
147.—Black, William, of the regality of Dunfermline, by commission from Tweeddale, M. ... L.1200 0 0 Reduced to L.500	157.—Monro, Alexander, of the re- gality of Lovat, by commission from Lovat, L.100 4 0 Rejected.
148.—Campbell, James and Hugo, of the sheriffdom of Caithness, by commission from Ulster, ... L.1200 0 0 Rejected.	158.—Ogilvie, Peter, of the regality of Coupar, by commission from Airly, L.200 0 0 Reduced to L.50
149.—Clark, Gilbert, of the regality of Broughton, by commission from Heriot's Hosp. L.300 0 0 Reduced to L.120	159.—Smith, John and James, of the regality of Aberbrothock, by com- mission from Airly, L.300 0 0 Reduced to ... L.83 6 8
150.—Colquhoun, John, of the regality of Glasgow, by commission from Montrose, D. L.1200 0 0 Rejected.	160.—Stewart, James, of the regality of Kinross, by commission from Sir J. Bruce, L.300 0 0 Rejected.
151.—Halkerton, John, of the re- gality of Culross, by commission from Ochiltree, L.500 0 0 Reduced to ... L.66 13 4	

The sum claimed was, L.567,000 sterling, and the sum granted was, L.152,037 12 2d.

ABSTRACT OF THE PARTICULAR OFFICES THAT WERE IN THIS MANNER BOUGHT UP.

1 Office of Justica-general, ... L.15,000 0 0	5 Stewartries, parts of shires, ... L.4,978 7 10
2 Sheriffsships for life, ... 3,000 0 0	4 Constabularies, ... 3,500 0 0
3 Redeemable Sheriffsships, ... 10,666 13 4	46 Regalities, ... 25,424 12 10
14 Sheriffsships not redeemable, ... L.46,563 1 6	28 Bailleries of regality, ... 18,491 6 1
2 Stewartries, parts of shires, ... L.12,147 0 0	6 Royal Bailleries, ... 6,208 16 1
2 Deputy sheriffsships, parts of Crom- artie, ... 88 14 6	10 Clerkships for life, ... 1,920 0 0
	194 Offices, ... L.152,037 12 2

The sum of one hundred and fifty-two thousand, thirty-seven pounds, twelve shillings, and twopence, sterling, was accordingly voted to his majesty for discharging the above claims, on the twenty-fifth day of April, 1748.

The reader, in going over the table, will observe, that there were a number of claims entered that were not sustained. This arose principally

ants there, and for allowing heirs of tailzie there to sell lands to the crown, for erecting buildings, and making settlements in the Highlands." For these pieces of enlightened and judicious policy, Scotland stands entirely indebted to the sister kingdom, and particularly to the strenuous exertions of Philip lord Hardwicke, at that time chancellor of England. They embraced a field far too wide, and their consequences were too remote to be apprehended generally by Scottish politicians, in whose narrow conceptions, the laird clothed with unlimited authority was the only effective instrument that could be depended upon for preserving due order and subordination among the people. Even the excellent president Forbes seems to have had no prospect of tranquillizing the country, otherwise than by laying it asleep in the bosom of the old feudal slavery. "I am not satisfied," says his lordship, "that what I have heard spoken of, relating to the wardholdings and jurisdictions, could be of any great service. The most important medicine for the evil under which the nation has so long suffered, and from which it has lately been in so great danger, is the disarming bill, which, I am told, is ordered to be brought in. If this bill is properly framed, and the due execution of it judiciously provided for, it may be of infinite service, as it must in time make the inhabitants of the mountains as inoffensive, and as little dangerous to the state as their neighbours in the Low Country; and I hope the undertakers of this bill know the condition, the temper, and the manners of the Highlanders, together with the defects of the former provisions, and the ways of supplying them well enough to enable them to make the scheme now projected complete."* There was an unfortunate necessity for disarming the Highlands; but there was a still stronger necessity for ameliorating generally the institutions of the Scottish people, and thus disarming them of their ignorant hostility and self-

from an interlocutor passed by the court, finding that lords of regalities had not power to split them, as had frequently been done by selling part of their lands, and the privilege of regality along with, and over the part thus sold. All claims founded upon such shares of regalities were set aside; yet bailleries granted by churchmen, over the whole, or any part of their regalities, were sustained.

* Culloden Papers, pp. 288, 289.

destroying rancour, which on every trivial occasion they were ready to put forth at the call of their interested, capricious, and selfish superiors, who happening to be born lairds, supposed themselves entitled to their affection, the fruit of all their toil, and to the last drop of their blood whensoever they were pleased to require it.

These necessary arrangements being completed, his majesty put an end to the session, by a most gracious speech from the throne, of which the following were the most remarkable passages:—"My lords and gentlemen,—Nothing could have been more acceptable to me, than the zeal and despatch with which you have gone through the public business during the course of this session. The care and attention you have shown to extinguish any remains of the late rebellion, and to strengthen the foundations of our future tranquillity, by new provisions, as well for restoring the proper authority of the government in North Britain, as for better securing the liberties of the people there, cannot fail to have the most beneficial consequences." His majesty then compliments them upon their prompt liberality, in enabling him to support the national relations abroad, from which he anticipates the happiest results, in a speedy, a safe, and an honourable peace; and he remarks, with apparent exultation, speaking of the ample supplies for the current year, that "to have been able to effectuate all this immediately after the suppressing of an unnatural and expensive rebellion, must set the strength and credit of the nation in the highest light, and secure to the crown of Great Britain that weight and respect both with its friends and enemies, which justly belong to it. After the examples of justice which have been found necessary, I have with pleasure taken the very first opportunity of doing what is more agreeable to my own inclination, the passing an act of grace. The good effect I promise myself from hence, is to heal in some measure those wounds which have been made, and re-establish the quiet of the kingdom, since by this act, the generality of those who have been deluded from their duty, will find themselves restored to security, and to the protection of those laws which they had endeavoured to subvert. A just sense of this early mercy, will, I hope, induce them to make

such returns of loyalty and gratitude as so strong an obligation requires.

“As this parliament would necessarily determine in a short time, and as nothing will give so much weight and credit to our affairs abroad in the present conjuncture as to show the dependance I have upon the affections of my people, I have judged it expedient speedily to call a new parliament. But I should think myself inexcusable if I parted with you without publicly returning you my thanks for the many eminent instances you have given me of your inviolable fidelity and attachment to my person and government, and your unshaken adherence to the true interest of your country, and the protestant succession in my family.—I have nothing so much at heart as the preservation of the civil and religious rights of my people, and the maintenance of the true greatness and prosperity of this nation. From these principles I will never deviate, and in these principles every true Briton will concur. Let this appear by your conduct in the present conjuncture, and let no false arts or misrepresentations take place to interrupt or weaken that confidence and harmony between me and my people, which have been, and ever will be, productive of such happy effects.”*

There was yet a year to run of the natural term of this parliament, but, agreeably to his majesty's announcement, it was dissolved by proclamation next day, and writs issued for convoking another with all convenient speed. As this parliament had been perfectly tractable, its sudden dissolution was witnessed with some degree of surprise, and various reasons were assigned for the measure. The most probable one was, that the court thought it prudent to bring on a new election, while the disaffected were yet, from the disappointment they had so recently experienced, unprepared for taking any very active hand in it. If such was the object, it was completely attained; for the new parliament had very much the complexion of the old. It was summoned for the thirteenth of August, but, in consequence of different prorogations, did not meet till the tenth day of November. On the

* London Magazine for 1747.

twelfth, his majesty from the throne assured them, that his principal view in calling the parliament had been, that he might receive the most clear and certain information of the sense of his people on the present posture of affairs, and therefore he had made their meeting as early as their convenience, and that of the public, would admit. He laid before them the objects, and the progress of the war with Spain, in which he admitted the success had not been equal to what might have been expected, though the triumphs of the British fleet, during the last year, had been of a very splendid character. He informed them, that a congress had been agreed upon to meet at Aix-la-Chapelle, where he hoped the differences between the two contending nations would be terminated. In order to this, he particularly insisted on the necessity of granting him liberal supplies. "You may depend," said his majesty, "on their being applied only to the purposes for which they shall be given; and if, by the falling out of events, any saving can be made, it shall be duly accounted for." In conclusion he added:—"My lords and gentlemen, if any further provisions shall be found expedient to render more effectual the good laws lately made for the security of the present establishment, extinguishing rebellion, and for the better civilizing, improving, and reducing into order, any part of the united kingdom, I depend on your known affection to me and to your country, seriously and early to set about this so good a work."

Addresses of the most loyal character were voted in reply by both houses of parliament. "We beg leave," say the lords, "from the bottom of our hearts, to give your majesty the strongest assurances of our inviolable fidelity and affection to your sacred person, family, and government, and that we will heartily and cheerfully concur to enable your majesty to prosecute the war with vigour, in case the obstinacy of your enemies should render it necessary, no difficulty or hazard being capable of lessening our zeal and steadiness for the maintenance of the honour of your crown, the independence and essential interests of your kingdoms, and for the defence of your allies. We will not fail to take into our serious consideration what further provisions may be expedient for better securing the present happy establishment, extinguishing the spirit of rebellion, and

for reforming, and reducing into order, such parts of the united kingdom where the want of improvement, knowledge, and due obedience to the laws, has remarkably furnished opportunities to seduce the people from their loyalty," &c. &c. That of the commons was in a similar style, and both redeemed the pledge they had given, by granting immediately ample supplies for carrying on the war, and by revising, and enacting anew, those regulations that had by the preceding parliament been devised for the annihilation of Jacobitism in Scotland.* The supplies ought to have been in the end supernumerary, as preliminaries of peace were signed in the spring, and a definitive treaty at Aix-la-Chapelle, in the month of October following. But this does not belong to our subject, and the reader will find it treated at large in the history of England.

While these transactions were occupying public attention, there came on at Edinburgh, before the high court of justiciary, the trial of Archibald Stewart, who had been lord provost of the city when it fell into the hands of the rebels, in the unfortunate 1745. We have already noticed his going up to London, where he was immediately apprehended, and committed to the Tower, on the thirtieth of December that year.† He

* London and Scots Magazines for 1747.

† The following letter, from Mr. Stewart to James Oswald, Esq. of Dunikier, gives a striking view of the strong prejudices that had been excited against him :—

“ Dear Sir,

“ Never poor man was more unmercifully persecuted by the malice of party rage than I have been, from the breaking out of the rebellion here to this day. Little minds have always recourse to low artifices; and this rebellion, when it was first talked of, was not much dreaded; but it happened at a time when our city elections were coming on, when it grew more serious. One would have thought, how to suppress it would have been the uppermost thought with every body; but I found, to my sorrow, how to distress me, and ruin my credit with the town, was what employed their minds full as much. I am thus far in my way to London, where I am willing to encounter all their malice, and wish to have my actions sifted to the bottom. I only give you the trouble of this to acquaint you of a fact that happened lately.

“ I was riding on from my brother's house, seven days ago, to take leave of my wife and family before I set out for London. When I came to Bellinford, the landlord and his wife seemed much surprised to see me. I asked them why; did they think I was dead?—No; but Sir Charles Gilmer's ser-

was kept close prisoner till the twenty-third of January, 1747, when he was admitted to bail, himself giving bond for five thousand pounds, and David Scott of Scotstarvet, James Oswald of Dunnikier, Alexander Campbell of the parish of Allhallows, Staining, London, doctor of physic, and —Baird of Downing Street, in the parish of St. Margaret's, Westminster, respectively in the sum of two thousand five hundred pounds each. His trial was brought on June the eighth, and continued from time to time till the end of October. The libel against him was for neglect of duty, misbehaviour in places of public trust, &c. &c. and consisted of twelve articles, in which was included the whole history of his conduct during the time the city was in suspense with regard to the conduct it should adopt towards the rebels, from the time of their first appearance, till they got possession of the city, all of which we

vant had been there, and had told in the kitchen, before them and all the servants, that he himself had seen me march by Libberton at the head of the pretender's artillery. I don't doubt but this man is ready to swear to it; but I thank God I have many creditable witnesses that I was not within thirty miles of Edinburgh for some days before their march; and at the time he mentions, I was at my brother's house here, along with major Cochrane, John Coutts, and several others. I went to lord Minto's next day, where I stayed five nights, and then returned to this country, and from here to Bellinford, as I told you. Upon my return here, I was told that the Newcastle paper had put me in, as having taken the command of five hundred horse, which is about the number that marched with the artillery, as I am told; and I fancy that it proceeds from the same information. No doubt the other papers will transcribe this paragraph into theirs, and this report will be believed over the whole kingdom. I have here enclosed the paper, and marked with a cross the part that relates to me. I refer it to you and my other friends, what's proper to be done in this matter. But I think 'tis right the world should know the truth; and, my dear James, if you have any credit still to give to a man the world has bespattered, I give you my word, that neither you, nor any of those gentlemen that have ever honoured me with their friendship, shall need to blush for any act of treachery or cowardice of mine, whatever they may say behind my back. My compliments to all friends, whom I hope to see soon, if I make my way through the mob of the several towns I must pass through, who are all inflamed against me by the malice of my countrymen.

" I am, &c. &c.

(Signed) " ARCHIBALD STEWART.

" *Alland Bank, 15th Nov. 1745.*"

have already detailed at length, and shall not here resume. Suffice it to say, that after a laborious trial, a jury of his countrymen, after a fatiguing attendance of no less than ninety-four hours, did, *nemine contradicente*, find him not guilty, in consequence of which, the lords commissioners of justiciary assoilized the said Archibald Stewart, simpliciter, and dismissed him from the bar.

Scotland lost this year one of the brightest characters that has at any period adorned her history, Duncan Forbes of Cul-loden, lord president of the court of session, who died on the tenth of December, 1747. Naturally, as it would appear, not of a very robust constitution, he must have suffered considerably from the great exertions he found himself called on to make during the rebellion, and the ungrateful return which he met with from the government, is supposed, with great probability, to have preyed upon his spirits, and to have been a mean of shortening those days that were so effectively employed in the service of his country. We have already attempted to do justice to this great man's patriotism, by detailing perhaps rather minutely the part he performed when the rebellion was at its height, and the means of repelling it the most difficult to be found; and that our readers may have a full view of that ingratitude with which after all this he was treated, we must bring before them the following graphic description of his situation and circumstances from his own pen. It is a letter to Mr. George Ross, then at London, enclosing letters on the same subject to Mr. Pelham, to Mr. Scroope, and to the duke of Newcastle. It is dated at Inverness, May the thirteenth, 1746:—"Dear George, my peregrination is now over. Some account of my adventures you surely have had from different hands. To give an exact one is the work of more time than I can at present afford. The difficulties I had to struggle with were many, the issue on the main has been favourable, and, upon a strict review, I am satisfied with my own conduct. I neither know nor care what critics, who have enjoyed ease in safety, may think. The commissions for the independent companys I disposed of in the way that to me seemed the most frugal and profitable to the public; the use they have already been of to the public is very great; preventing any accession of strength

to the rebels, before they marched into England, was no small service; the like prevention, in some degree, and the distraction of their forces when the duke was advancing, was of considerable use, and now they are by the duke employed under the command of E. Loudon, in Glengarry, and must be the hands by which the rebels are to be hunted in y^r recesses. My other letter of this date gives the reason why the return of the officers' names, &c. was not sooner made. I hope the certificate will be sufficient to put them upon the establishment, and to procure the issuing of money for them. The returns of the several companys in the military way, earl Loudon will take care of. What distressed us most in this country, and was the real cause why the rebels came to a head after their flight from Stirling, was the want of arms and money, which, God knows, had been long enough called for and expected. Had these come in time, we could have armed a force sufficient to have prevented them looking at us on this side Drumachter. The men were prepared—several hundreds assembled in their own countrys, and some hundreds actually on their march. But unluckily the ship that brought the few arms that were sent, and the sum of money that came, did not arrive in our road sooner than the very day on which the rebels made themselves masters of the barrack of Ruthven. It was then too late to fetch unarmed men from distances; it was even unsafe to land the arms and the money, so we were forced to suffer them to remain on board, and to retreat with the force we had, to preserve them for the further annoyance of the enemy. Another ill consequence the scrimping us of money had, was, that as there were a great many contingent services absolutely necessary, and as all the money that could be raised, Loudon's credit and mine was not sufficient to answer these extraordinary services, we were obliged to make free with the cash remitted for the subsistence of the companys. This at the long run will come out as broad as it is long, when accounts are made up, and allowances made for the contingent expense, but in the meantime it saddles us with the trouble of settling and passing an account.

“ If any one will reflect on the situation I was in, and consider what I had to do, he will soon be convinced that the expense I lay'd out could not be small. So far as I could com-

mand money of my own, you will easily believe it was employed without hesitation, and of that I say nothing at present, but when the expedient proposed by the marquis of Tweeddale of taking bills to be drawn on Mr. Pelham fail'd, I had no resource but to take up money where I could find it, from well-disposed persons on my own proper notes. That money so picked up, was at the time of great service, and now that peace is restored, the gentlemen with great reason expect to be repay'd. . You can guess how ill I like a dun, and I should hope, now that the confusions are over, there can be no great difficulty in procuring me a remittance, or leave to draw on Mr. Pelham, or some other proper person, to the extent of the sum thus borrowed, which does not exceed one thousand five hundred pounds sterling. I have on this subject wrote to the duke of Newcastle, Mr. Pelham, and Mr. Scroope, whose letters you will forthwith deliver. To the duke and Mr. Pelham, I have wrote also on the subject of the Indep^t Companys, and mentioned you as their agent. If the one thousand five hundred pounds is advanced to me, it must be to account, and I shall find it a very troublesome matter to make up that account particularly, without great loss, though I can to the merest trifle what in gross I expended for the service. So soon as the duke leaves this place, which will be in a day or two, I shall move southwards, so that your letters for me must be directed to Edinburgh; whether I shall remain there or go further, I do not at present know. I am heartily tired of the erratick course I have been in, but as the prevention of any future disturbance is a matter of great moment, and which requires much deliberation and some skill, if those on whom it lies to frame the scheme for that purpose imagine I can, with my knowledge of the country, be of any use to them, I should not grudge the additional fatigue of a journey, but it is not impossible their resolutions may be already taken. You may speak on this subject to my good friend the solicitor-general, and show him this paragraph, and shall be glad to know how he does, and if possible to hear from him. I doubt not but you will look after the money article. I am, &c."* There is

* Culloden Papers, pp. 275, 276.

in this letter an honest feeling, and a frankly expressed conviction of the value of his services, and, though possessed with a prophetic anticipation of their being overlooked, an equally open and straight forwardly expressed determination to continue them so long as they should be useful to his country, strongly indicative of that high-minded devotion to the best interests of his species, which we think more peculiarly characterized this great man, than all the men of his age taken together. At the same time, there is manifested the most delicate feeling with regard to the money part of the transaction. What portion, and that must have been a very large one, had been advanced from his own treasury, he makes for the present no account of; but he pleads in the most gentlemanly manner in behalf of those who had kindly assisted him at the time, and could scarcely be expected to have the same disinterested regard to the public service, and the same degree of philosophic patience. "They expect, with reason," he remarks, "to be paid;" and he interposes in the most delicate manner his own repugnance to be dunned, as the most pressing of all arguments in their favour. This is the idea that he dwells on in the four letters which he wrote at this time on the subject, and almost in the same words. To Mr. Pelham he says, "the just demands of his friends, on account of his not being accustomed to duns, gives him some uneasiness," and he adds, "the sum they are uneasy about, does not, in the whole, exceed fifteen hundred pounds sterling." To Mr. Scroope, with whom he was on terms of greater intimacy, "I who cannot coin, and never hitherto was dunned, feel myself uneasy," and, mentioning the same paltry sum, requests him to use his influence with Mr. Pelham, that it might be immediately remitted, or that he might be permitted to draw upon the minister to that amount.* Surely never was so small a request, and so exceedingly well founded, so modestly preferred; yet never, perhaps, did a reasonable one meet with a more careless reception. It has indeed been generally said, that he never received one farthing; and to his generous spirit, though he

* Culloden Papers, pp. 274, 474.

received a part, of which we dare not speak with certainty, the manner in which he did receive it must have been nearly as bad as if he had not. "I have received," he says, writing, June the twenty-fourth, to Mr. George Ross, "yours of the seventeenth, eighteenth, and nineteenth instant, the first and last by the post, the other by the express that brought the earl Dunmore's; the last brought the bill for five hundred pounds sterling, which shall be presented for acceptance. What you mean by telling me the duke of Newcastle has wrote to me, I know not; its possible he may have said to Mr. M. [Andrew Mitchell] that he intended to do so, but he surely has forgot, a thing too incident to great men, when there is no immediate occasion for service. I am still very desirous to hear from Mr. Scroope. If he has not yet wrote, I wish Mr. Fane would put him in mind of doing it." His grace of Newcastle did not, it appears, think it worth while to answer his letter at all, till he was under the necessity of writing to him, in the month of July, upon another subject, the appointment of a judge, in which he thus coldly and formally adverts to his pressing communication:—"I take this opportunity of returning your lordship my thanks for your letter of May nineteenth, [it should have been the thirteenth,] from Inverness. The several points therein mentioned, relating chiefly to the commissions which were sent to your lordship in September last, for twenty independent companies, and to the pay of these companies, will not fail to be duly considered, and settled as soon as possible.

"Your lordship will give me leave to congratulate you most heartily, as I think I may now do upon the total suppression of the late wicked rebellion. His royal highness, the duke, has upon all occasions done ample justice to the active and unwearied zeal your lordship has shown for promoting his majesty's service, and for defeating and disappointing the views and designs of the rebels. I have already, by the king's order, expressed to his royal highness, his majesty's entire satisfaction in your lordship's conduct, and it is with great pleasure I take this opportunity of assuring you, that the king has the truest sense of the great and useful services your lordship has per-

formed in this critical conjuncture. I am, &c., Holles, New-castle."* This was all very well had it been in proper time, and with the proper accompaniments; but this to a gentleman who had given all his money, and pledged his credit so effectively for the public interests, two months after he had so modestly, but so earnestly requested to have the small sum of fifteen hundred pounds remitted, to enable him to preserve that respectability of character which was his natural birthright, and which he had so beneficially employed, without sending him one penny, demands a mark of reprobation blacker than any historian has yet invented. Of any reply from Messrs. Pelham and Scroope we have not found the smallest vestige, and would fondly believe that, courtiers as they were, they had so much natural grace remaining, as to be unable to put pen to paper upon a business so utterly disgraceful.

This ingratitude on the part of the government, to a mind so pure and so gentle as was that of president Forbes, must have been exceedingly painful, but we do not believe that it was the only, or even the principal thing, that weighed down his spirit. To the morality of courts, and the gratitude of courtiers, he was, in theory at least, no stranger, and, as a prudent and practical man, must have been in some measure prepared to grapple with them, but for the base duplicity, and the ingratitude of his friends and neighbours, many of whom had betrayed his confidence in the most profligate manner, he could not be prepared, and they must have affected him deeply. These, while they wrung his own heart with the most pungent feelings of sorrow, furnished to the ignorant, the suspicious, and the envious—who at all times, and in all places, are formidable, not only from their numbers, but from their desperate inveteracy, and their unceasing activity—fruitful topics of detraction and misrepresentation, against which, he must have been aware, the best intentions, and the most upright actions, have too often been found to afford no protection. He had had the care of the Highlands imposed upon him for many years. He had been a father, a friend, and a benefactor to almost every family they contained, and, with few excep-

* Culloden Papers, pp. 280, 281.

tions, these families had in return made the strongest professions of loyalty to the government, and of friendship and affection to himself. This too they had done with so much apparent sincerity, as induced him to report them perfectly loyal at the very moment they were signing associations, purchasing arms, and ready to plunge into as wicked and as desperate a rebellion as could well be conceived. How must he have felt, to see the very men he had saved from total destruction, procured them the favourable notice of the government, and even high and honourable situations, rushing, from a mistaken notion of self-interest, upon their own, and attempting their country's ruin, under his very nose, and evidently, nay, almost avowedly, with the hope that, in case of their being unsuccessful, he would interpose his influence in their behalf, and save them in the end from the consequences of their folly.* It was this, we have no doubt, with the suspicions which his intelligent mind must have seen would, with weak and uninformed minds, be attached to it, that gave the secret but incurable wound under which, regarding all other unkindnesses as trivial, scorning complaint, and continuing to perform the duties of his station with inflexible firmness, and with unperturbable patience, he came by slow degrees to an untimely grave.

Though the lord president continued to discharge the duties of his place with that fidelity and diligence that had distinguished him in every office he had filled, and though he uttered no complaints, it was evident to all that his health was rapidly declining, and in the month of November he became so ill, that it was judged necessary to send for his son from England, who arrived in time to receive his last advice and his blessing. The following memorandum, made by the son on the day of his father's death, December the tenth, 1747, and still preserved, is too important to be omitted in any attempt to appreciate the character of this great and good man:—"My father entered

* This we have pretty fully illustrated in the case of Lovat, to whom we might add Cromartie, Clunie, "mad Tam" of Gortuleg, Pitcalney, &c. &c. More gross and disgusting instances of political depravity were never exhibited than by the Highlanders of this period, except by sycophants of the present day, who go about gravely to persuade us that their whole conduct was in "the very spirit of loyalty!"

into the everlasting life of God, trusting, hoping, and believing, through the blood of Christ, eternal life and happiness. When I first saw my father upon the bed of death, his blessing and prayer to me was, ‘ My dear John, you have just come in time to see your poor father die. May the great God of heaven and earth ever bless and preserve you. You have come to a very poor fortune, partly by my own extravagance, and the oppression of power. I am sure you will forgive me, because what I did was with a good intention. I know you to be an honest hearted lad. Andrew Mitchell loves you affectionately; he will advise you, and do what he can for you. I depend upon Scroope too, which you may let him know. I will advise you never to think of coming into parliament. I left some notes with the two William Forbeses, in case I had not seen you: they are two affectionate lads, and will be able to help you in some affairs, better than you would have done yourself. John Hossack will help you in your affairs in the north. My heart bleeds for poor John Steel;* I recommend him to you. When I was in the north, I paid some considerably large sums, that I never dreamed of before, towards defraying the charges occasioned by the rebellion. There is but one thing I repent me of in my whole life, not to have taken better care of you. May the great God of heaven and earth bless and preserve you. I trust in the blood of Christ. Be always religious, fear and love God; you may go—you can be of no service to me here.”† This shows, in the clearest point of view, how deeply this first of patriots felt the unrequited sacrifices he had made for his country, though he had never allowed these feelings to interfere with the discharge of his public duties. His fears were certainly not without foundation—for his estate, in consequence of the sacrifices he had made, was encumbered with debts, amounting to upwards of thirty thousand pounds sterling, and for several years after his death, there did not appear to be any possibility of going on with it, but by selling the one half to preserve the other—yet they were happily, in the experience of

* John Steel had been a merchant in Edinburgh, but was at this time a sort of head servant at Culloden, where he spent the remainder of his days in ease and comfort.

† Culloden Papers, p. xxxviii.

his family, disappointed. His son was a worthy man, but possessed of no great talents for public business, and, warned by the example, and profiting by the prudent advice of his father, he spent his days in retirement, probably with a higher enjoyment of life than if he had been surrounded with all the splendours of the most exalted station, and in less than thirty years he had not only cleared his estate of all encumbrances, but added to it considerably by the purchase of a number of contiguous lands, and thus in his case was verified the saying of inspiration, the "good man is merciful, and lendeth, and his seed is blessed."

But the lord president was not the first of his family that had been distinguished for talents and public spirit, nor were the encumbrances upon his estate all of his own raising. His brother expended in "Marr's year," by raising his whole dependants, and keeping them in arms for the government, upwards of three thousand pounds, for which he never received a farthing, and his father was a most efficient partisan on the side of government in the rebellion that in the north followed on the heels of the revolution, in bringing about which he was also honourably distinguished. Taking advantage of his being absent in Holland, the Jacobite faction under Buchan and Cannon, in revenge, laid waste his estates with fire and sword, particularly the barony of Ferrintosh, which even at that time was the seat of extensive distilleries. Here they destroyed property, in houses, utensils, &c. to the sum of fifty thousand pounds Scots. Aware of his great merit, and of the severe losses to which he had been subjected for his country's cause, the Scottish parliament, in the year 1690, passed an act, farming to him and his successors for ever, the yearly excise of the lands of Ferrintosh for the sum of four hundred merks Scotch, subject, as explained by a posterior act, to a proportion of any excise that might thereafter be imposed upon the kingdom. This was a very valuable privilege, in consequence of which, Ferrintosh became populous and wealthy, far beyond any other place in the north. The process of distillation was supposed to be here better understood, and carried to greater perfection, than any where else in Scotland, and the demand for the produce was such, that more whisky was made in Ferrintosh than in all the kingdom beside.

This in latter years must have contributed materially to the prosperity of the family of Culloden, and, as the demand for the article was still upon the increase, preparations were making to render the privilege still more lucrative, when, finding it to interfere with the interests of the country in general, the government, in the year 1786,* resumed it, allowing to the family in lieu thereof, the sum of twenty-one thousand, five hundred pounds sterling.†

Though his great services were overlooked by those who ought most highly to have esteemed them, and whose proper province it was to have rewarded them, the lord president Forbes was not lost sight of by his grateful countrymen, every class of whom seems to have endeavoured to outdo another in expressions of affectionate esteem and grateful admiration; and his death was regarded by all as a national calamity. He had been a public character for nearly thirty years, during which, scarcely one motion had been made for the public benefit, but what had either originated with, or had received its most powerful support from him. In the infant manufactures of his country, he took so much interest, that they were familiarly called by himself and others, "his ain bairns;" and his upright and pure spirit breathed into her tribunals of justice an order and an equitable impartiality, to which they were before total strangers, and which to this day happily never has forsaken them. All lords president that had been before him, had occasionally at least, yielded to the calling of causes irregularly, and deciding them in the absence of certain judges,‡ whose

* Life of President Forbes. Statistical Account of Scotland, vol. v. pp. 208—211.

† It is to this circumstance that our great national poet, Burns, alludes in the following humorous lines, with which we have seen many readers highly pleased, though they did not understand them:—

" Thee Ferrintosh, O sadly lost,
Scotland lament frae coast to coast,
Since loyal Forbes' charter'd boast
Is ta'en awa';
Now colic gripes, and barking hoast,
May kill us a'."

‡ Laing's History of Scotland, vol. iv. p. 308. Culloden Papers, p. xxvi.

opposition they wished to avoid, or were afraid to encounter; by which means, substantial injustice was often done, perhaps, without intending it. To this practice he put, it is to be hoped, a final end, by having made it a rule of court, that the rolls should be rigidly regulated according to seniority. Before his time, too, the judges on the bench often delivered their opinions with a warmth that was highly indecorous; detracting greatly from the dignity of the court, and the weight and authority of its decisions. This, too, by the candour, the strict integrity, and the nice discernment, combined with that admirable command of temper which marked his character, he was enabled completely to overcome, and to introduce in its place a dignified urbanity, and a gentlemanly deference among the members of court to the opinions of each other, which succeeding lords president have found no difficulty to sustain.

The faculty of advocates of which the lord president had been such a distinguished member, honoured him in the highest degree; and in consequence of a resolution, highly complimentary to his character, made at a public meeting called for the purpose, attended his funeral in a body in their gowns—as did also the writers to the signet, the lord provost, magistrates, and council of the city, &c.—and afterwards erected a monument to his memory, in the parliament house, at an expense of three thousand pounds sterling. The figure, which represents the president in the act of delivering his sentiments from the bench, is the work of Roubilliac, and has been greatly admired. Beneath it is the following inscription:—

DUNCANÓ FORBES
De Culloden,
Supremæ in civilibus curiæ Presidi
Judici integerrimo,
Civi optimo,
Priscæ virtutis viro,
Facultas Juridica libens posuit
Anno post obitum quinto
 C. N. 1752.

In person, the lord president Forbes was elegant and well-formed, his countenance open and animated, his manner dig-

nified, but easy and prepossessing. His natural talents were of the very first order, enlarged by an excellent education, completely disciplined, and fully matured by habits of intense study, and of minute, and at the same time extensive observation; and they were all employed most honourably and conscientiously in the real business of life. His learning was profound, and extensive beyond that of his compeers; and in forcible, manly, and persuasive eloquence, at the Scottish bar, he had no competitor. Yet with all this vast and visible superiority, he was neither dogmatical nor overbearing. His was not the paltry ambition that could gratify itself by uttering tiny conceits, or sparkling witticisms; nor did he ever, like too many who have shone in his profession, attempt to dispose of an unmanageable subject, by heaping upon it a mountain of words, or enveloping it in a whirlwind of bombast and nonsense. Every thing like artifice he held in abhorrence, and truth and justice being at all times the only objects he aimed at, the law of kindness was ever on his lips, and the impress of candour and sincerity gave an oracular dignity to every sentiment which he uttered. Of the volume of inspiration, which he could consult with advantage in the original tongues, he was a diligent student; and that he had experienced its transforming influence in no mean degree, was evident from the tone of his mind, and the whole tenor of his life and conversation. Like another of Scotland's most eminent benefactors, John Knox, with whom alone, from the magnitude and for the difficulty of his services, though they were considerably dissimilar, he deserves to be compared, he probably felt himself called upon rather for active personal exertion, than for those efforts of mind, which can be well and successfully made only in the seclusion of the closet, and through the medium of the press; of course, his writings are not numerous, but they exhibit, particularly his "Thoughts on Religion, Natural and Revealed," strong traces of a pure, a pious, and an original mind. In private life he was every thing that is amiable—as a husband and a father affectionately tender—as a friend, generous in the extreme, often distressing himself that he might fully and seasonably perform the duties implied in the character. His neighbours he was always ready to oblige, and merit of every description

found in him a prompt, a steady, and a disinterested patron. He was sprung from a family whose hospitality had been proverbial for ages, and when his health, which was generally delicate, and his numerous and important avocations would permit, few men could enjoy a bottle and a friend with a more delicate relish. To be of his party in these moments of relaxation, was indeed a felicity eagerly courted by the greatest and the wittiest men of his age: and to sum up all in one word, such was the sterling worth of his character, that he was universally feared by the bad, and as universally loved by the good of all parties.

Having thus brought the civil history of Scotland down to the period we proposed, indeed, as far as we can bring it, without at the same time writing a history of England, we return to the ecclesiastical, which still continues in some good measure Scottish, and in the progress of which we shall yet find matter worthy of our most serious attention. The proceedings of the General Assembly, 1746, with regard to the coincidence of their feelings with those of the public regarding the rebellion, the services of the duke of Cumberland, &c. &c. we have already noticed, but there were specialities occurred in the case of that assembly, that, so far as we have discovered, were, since the Revolution, altogether singular, and which, from their importance, require to be particularly narrated.

The assembly, according to appointment, met on the eighth day of May; but those who held the reins of government, with that carelessness which marked such a large proportion of their proceedings with regard to Scotland, though they had named the earl of Leven commissioner, had neglected to forward his commission, in consequence of which, his appointment was of no avail for any practical purpose. The encroachment of the civil power upon the ecclesiastical, had been a grievance complained of by the Scottish church, less or more, in every period of her history; and the secession from her judicatures that had just been completed, brought the subject into the eye of the public perhaps more directly than it had ever before been, at least since the revolution. By the seceders, and by a large proportion of those who still remained in the church, the presence of his majesty's commissioner was not held to be necessary to give validity to the decisions of the assembly, while the civil power itself, as well as

its zealous partisans, held the contrary; the assembly, by this combination of circumstances, was now under a necessity of determining in what quarter the superiority lay, and its friends and its foes were equally watchful, and perhaps felt nearly equal interest in the result, and it is highly probable both were in some measure disappointed. After sermon by the moderator of the former assembly, principal Wishart, in place of proceeding as usual to choose a new moderator, a motion was made to continue the principal as their moderator in the meantime, which was agreed to. On the ninth, the second day, the sederunt was as usual spent in prayer, and in settling some minor matters. This day the commission to the earl of Leven for holding the assembly arrived, but it did not authorize him to act till Friday the sixteenth. On the tenth, a question was put, whether the assembly should proceed to the choice of a moderator, and to name the several committees, and afterward adjourn till Friday next, or adjourn presently till that day. It was carried, proceed; and Mr. John Lumsden, professor of divinity in King's College, Aberdeen, was chosen moderator. The usual committees were also named, and the assembly adjourned till Friday the sixteenth, when the earl of Leven produced his commission, and the assembly was delivered from its perplexity with a better grace than many of its best friends anticipated. It is to be remarked, however, that though the assembly published its acts in the usual form, including the three sederunts, with the dates and the proceedings we have mentioned, the London Gazette passed them over, and stated the assembly to have met, and to have chosen its moderator, on Friday the sixteenth, the day they were met by the commissioner. Nothing further of importance, except the appointment of a national thanksgiving on account of the rebellion being suppressed, was transacted at this assembly, but what we have noticed already in our account of the consequences of the battle of Culloden. All the nonjurant meeting houses in Edinburgh were shut up by order of the magistrates, on the first of May this year, 1746.*

The assembly met again on the seventh of May, 1747, when

* Acts of Assembly, 1746.

Mr. Robert Kinloch, one of the ministers of Edinburgh, was chosen moderator—the earl of Leven was again commissioner. There were few matters of great consequence came before this assembly. The greater part of its sittings were occupied with disputed settlements, which, owing to the law of patronage, were becoming every year more numerous, and for the most part they were disposed of with that partiality, which in every new assembly was becoming more conspicuous. The parliament had lately passed an act, depriving freeholders of their votes for a member of parliament who had been, during a given time, twice in an episcopal place of worship where his majesty, king George, and the royal family, was not prayed for in express words, and the same rule was now, by an overture from this assembly, transmitted to the different presbyteries, to be applied to church members, depriving them in such cases of having any vote for a minister. The Rev. Mr. Thomas Man of Dunkeld was also prosecuted before this assembly for having been assisting to the rebels. His case was referred to the commission, by which he was shortly after suspended.*

The assembly which met May the twelfth, 1748, in which the Rev. Mr. George Wishart, one of the ministers of Edinburgh, was moderator, and the earl of Leven again commissioner, besides the usual routine of settlements, passed some amendments upon the act respecting the widows' fund; enacted the overture of last year, respecting persons voting in the choice of a minister who had been guilty of hearing nonjurant ministers, and, "taking to serious consideration the great ignorance of many among us concerning the principles of our glorious reformation from popery, and of our present happy establishment since the revolution; that insensibility of the blessings we enjoy by these great events, which so sadly prevails—that woeful indifference about the purity of religion, and disaffection to our happy constitution, and to the person and government of our most gracious sovereign, king George, into which too many are sunk, and the unhappy fruits of which we have so lately felt, and in fine, that ungrateful forgetfulness of the signal mercies of God to these lands into which even the better

* Acts of Assembly, 1747. Scots Magazine for 1747.

sort among us are too ready to fall, do therefore earnestly beseech and obtest all the ministers of this church to be diligent in instructing the people committed to their care, in these principles of pure Christianity that are particularly opposite to the errors and corruptions of popery, and in the grounds and reasons of the reformation, and the principles on which the late glorious revolution, and our present happy establishment are founded, and to stir up all to a grateful and suitable improvement of the inestimable blessings we enjoy by the free exercise of the pure religion of Jesus, and the security of our liberties and properties under a legal government; and for these purposes, and perpetuating of the great things God has done for us in these lands, the General Assembly do particularly appoint all the ministers of this church to preach expressly, and on purpose, upon the subject above mentioned, or some of them, on four Lord's days every year, viz. the first Lord's day of the months of August, November, February, and the third Lord's day of April, with proper exhortations to the people, and suitable prayers and praises to our gracious God, in the name of the only mediator between God and man, our Lord Jesus Christ." The above was, in the form of an overture, transmitted to presbyteries, and was in substance enacted by the assembly, 1749,* but how far, or how long it was in observance, we have not been able to ascertain.

But before carrying farther forward the history of the established church, it will be necessary to advert to that of the secession, in which a most unexpected and melancholy occurrence, fraught with important consequences, had in the mean time taken place. The Judicial Act and Testimony, as we have stated, had been most cordially agreed upon and emitted. The covenants had in consequence been renewed in a bond, suited, as they supposed, to the circumstances under which the body was placed, and all this—one individual, Mr. Nairn, alone excepted—with the most perfect harmony. The number of adherents to these deeds had also greatly increased, and for some time the associate presbytery had contemplated the dividing themselves into separate presbyteries, for the better and more easy

* Acts of Assembly, 1748, 1749.

administration of their affairs, to centre in one associate synod. A scheme for this purpose was proposed in the month of August, 1744, which was matured and enacted on the eleventh of October, the same year. The presbyteries were three:—First, the presbytery of Dunfermline, comprehending the following congregations, Dunfermline, Mr. Ralph Erskine; Dunichen, Andrew Arrot; Burntisland, James Thompson; Abernethy, Alexander Moncrief; Orwell, Thomas Mair; Ceres, William Campbell; Perth, George Brown; Lesly, John Erskine; with the vacancies of Kirkaldy, Kinkell, Muckhart, Kinclaven, Dundee, Montrose, Ross, Murray, and Buchan. Second, Glasgow, comprehending Stirling, Mr. Ebenezer Erskine; Glasgow, James Fisher; Kilmaurs, David Smyton; Balfron, John Cleland; Cambusnethan, David Horn; Falkirk, Henry Erskine; Kilbarchan, John M'Cara; Cumbernauld, Andrew Black; with the vacancies of Mearns, Kilbride, Sanquhar, and Orr in Galloway. Third, Edinburgh, comprehending Linton, Mr. James Mair; Stow, William Hutton; Edinburgh, Adam Gib; Linlithgow, Andrew Clarkson; Midholm, Patrick Mathew; Gateshaw, James Scott; Dunse, John Whyte; Annandale, George Murray; Haddington, Robert Archibald; with the vacancies of Dalkeith, Stitchel, and Jedburgh. The first meeting of these presbyteries was fixed, at their respective places, for the fourth Wednesday of the following November, the day to be observed by all of them as a day of fasting and humiliation. The first meeting of synod was appointed to be at Stirling, on the first Tuesday of March, 1745.

So far the secession had gone on smoothly, and was spreading rapidly. The individuals comprising it had been placed in circumstances of peculiar difficulty, and they had been opposed in some instances with peculiar address, and in others with peculiar bitterness, but they seemed to be cordially united in the bonds of unity and love. These bonds, however, were soon to be dissevered upon a subject, and in a manner, that certainly was not anticipated. The associate presbytery had already determined the oaths of abjuration and allegiance to be sinful oaths, as embracing the complex constitution, and consequently incompatible with that testimony which they had

emitted against it; and before the breaking up of the last meeting of the associate presbytery, a paper was given in by Mr. Alexander Moncrief, stating his scruples with regard to the religious clause in some burgess oaths, "which he apprehended would by the presbytery be found to be sinful, whensoever it should be taken into consideration." But the dissolution of the associate presbytery was already resolved upon, and it was stated, that all the members would, in their separate presbyteries, have better access to consider the subject, and be better prepared for having their opinions stated to the first meeting of synod, which would thus be able to take it up with much more advantage, than the presbytery could in their present situation do. Accordingly, when the synod met in the month of March, 1745, this was among the first matters that came before them, and after long discussions on the subject at different meetings, the synod, on the ninth of April, 1746, came to the following decision on the subject:—"The synod find that the swearing the religious clause of some burgess oaths, viz. 'Here I protest before God and your lordships, that I profess and allow within my heart, the true religion presently professed within this realm, and authorized by the laws thereof: I shall abide thereat, and defend the same to my life's end, renouncing the Roman religion called papistry,' by any under their inspection, as the said clause comes necessarily in this period to be used and applied in a way that does not agree unto the present state and circumstances of the testimony for religion and reformation which this synod, with those under their inspection, are maintaining; particularly, that it does not agree unto, nor consist with an entering into the bond for renewing our solemn covenants, and that, therefore, those of the secession cannot farther, with safety of conscience, and without sin, swear any burgess oath with the said religious clause, while matters, with reference to the profession and settlement of religion, continue in such circumstances as at present. Moreover, the synod find, that burgesses of the secession, who are already concerned in such oaths, should be required, in order to their admission into the bond for renewing our solemn covenants, to attend conference with their respective sessions, for signifying their satisfaction with the present judgment of the

synod, and a sense of the mistake they have hitherto, through inadvertency, been under concerning such burgess oaths.”*

When this subject was first stated, it did not appear to be attended either with difficulty or danger. Questions of much more intricacy had been discussed by the associate presbytery at great length, and harmoniously disposed of, and the above decision, we are persuaded, every unbiassed reader, when he reflects that it was intended to bind those only who had acceded to the judicial act and testimony, will think should have had a similar issue. This, however, was far from being the case. Some little personal pique, it would appear, subsisted between two of the members of court, Mr. Moncrief and Mr. Fisher, in consequence of which, the latter regarded the conduct of the former with some degree of suspicion. The latter, too, being connected with them by blood, was supported by the Erskines, who were the idols of the body, and on this occasion gave most humiliating evidence of the power of prejudice to darken the clearest intellects, and to pervert the purest and the warmest hearts. The question in itself was simple, and was barely this, What was meant by those who framed and imposed the oath? Was it simply the true religion that was to be acknowledged by the swearer, or was it not rather the true religion as imbodyed in a particular form, and guaranteed by particular laws, to ensure the integrity of which, the oath was principally, if not wholly intended? Either this was the case, or the oath was superfluous and unmeaning, and of course could not be lawfully sworn by any, be his opinions what they would, as it must in that case have been only a taking of God’s name in vain. True, however, it is, that volumes were written, of which no small portion came from the pens of the venerable Ralph Erskine, and the worthy Mr. James Fisher, to prove that nothing was sworn to in the oath but the true religion, abstracting from all the accompanying and qualifying clauses thereof. A protest against the synod’s decision was immediately taken by Messrs. Ralph Erskine, James Fisher, William Hutton, Henry Erskine, and John M’Cara, in which they were joined by two elders; and by the time of the next meet-

* Display of the Secession Testimony, vol. ii. pp. 17—21.

ing of synod, the whole body was in a flame, almost every individual having committed himself on the one side or the other. Accordingly, when the synod met on the seventh of April, 1747, the burgess oath appeared to be the only object of their attention, and it was resumed with great warmth, and in a way that indicated but too plainly what was to be the result. The protestors against the synod's decision instead of having their reasons of dissent read, and the answers to them that had been prepared, which was certainly the natural order of procedure, began with a renewal of their former question, in a somewhat enlarged form, *viz.* "Whether the decision anent the religious clause in some burgess oaths, passed by this synod in April, 1746, shall now or afterwards be made a term of ministerial and Christian communion, ay and until the making of the same to be so shall be referred by way of overture unto presbyteries and kirk sessions, in order to their giving their judgment thereanent, that so there may, in the meantime, be a friendly dealing among the members of this synod with one another, in a way of conference and prayer, in order to their coming, through the Lord's pity, to see eye to eye in the matter of the said religious clause—or not." Opposed to this, it was suggested as a previous question, "Proceed to call for the reasons of protest, and the answers thereunto, for having them read and considered;" and the question being put as to which of these two questions should be voted, it carried for the first, by twenty-nine votes against twenty-two. From this resolution, Mr. William Campbell entered his dissent, to which Mr. Thomas Mair, with concurrence of Mr. Alexander Moncrief, adhered, craving that the door might be open at next sederunt for carrying this testimony further, as he should see cause; and here the matter rested for the first night. The question was resumed by the protesting brethren next day, with increased ardour, when Mr. Thomas Mair declared his adherence to his former dissent, in which he was followed by Messrs. James Thomson, Alexander Moncrief, Adam Gib, Andrew Clarkson, James Scot, George Brown, William Campbell, John Whyte, George Murray, Robert Archibald, and William Mair, with ten elders. The protesting brethren, however, still insisted for

a vote upon their question, and after the whole day had been spent in fruitless opposition to their wishes, Mr. Gib gave in a protest, importing *inter alia*, that the question was at first irregularly thrust in upon the synod, and irregularly pushed unto the turning of them aside from their proper business and duty—that it proceeded upon a resolution of the former sederunt, suppressing proper light about the subject, to be had from a consideration of the reasons of protest, and the answers—that it tended to introduce a sinful and dangerous innovation of subjecting the lawful decision of synod upon a controversy of faith, and case of conscience, unto the consultation of inferior judicatures, particularly kirk sessions, and that an affirmative upon the question must run upon a toleration scheme, by judicially allowing of, at least for a time, the swearing contradictory oaths, *viz.* the burgess oath, and the oath of the covenant. This protest was adhered to by all the above named ministers, Mr. Scot and Mr. William Mair excepted, and the synod was adjourned for about an hour, it being now seven o'clock at night.*

When the synod again met between the hours of eight and nine, the same violent contendings were renewed and carried on for several hours—the protestors on the burgher side still insisting to have the vote upon their question put, against which the following protestation was at last entered, “Whereas, notwithstanding of protestations regularly entered to the contrary, the reverend synod is going on to a vote upon this question, I, Alexander Moncrief, minister of the gospel at Abernethy, do, in mine own name, and in the name of all who shall herein adhere unto me, protest that this meeting is not, nor ought to be held and reported a due and lawfully constituted meeting of the associate synod in this step, because they are proceeding upon a resolution of yesternight, which suppresses proper light upon the subject of the question, while many members were never present at any judicial examination thereof, and some have been complaining that they are precluded from necessary acquaintance therewith; and because, notwithstanding much insisting to the contrary, the members, protesting against the

* Scots Magazine for 1747. Gib's Display, &c. &c.

sentence of the synod in April, 1746, who are necessarily and directly parties upon the question, are sustaining themselves judges for voting in it," &c. &c. To this protestation an adherence was immediately declared by the other eleven ministers who had dissented in the entry of the forenoon's sederunt, and by Mr. Patrick Mathew, as also by ten elders. Nothing, however, could stay those on the side of the oath from pushing the vote. The moderator craved a delay, but was again and again required to call the roll, or order it to be called, but he returned no answer. Mr. William Hutton, clerk *pro tempore*, was also loudly called upon for the same purpose, but, though he had been violent enough upon that side, he obstinately "held down his head upon the table, and made no reply." One of the party, John M'Cara, then called the roll, and another of them, Mr. Henry Erskine, marked the votes, which were, in the expressive language of one of the actors, taken "in a chaos of absurdity and confusion." Thirteen ministers, and ten elders, had but a little before entered a solemn protestation against taking the vote, and of course could take no part in it; the voters, when they were collected, were only nine ministers, and eleven elders, and of these, six ministers, and one elder, having been originally protestors against the synod's decision in April, 1746, had given in reasons of protest, but had obstinately refused to have these reasons, with the answers that had been prepared to them, read, and of course were directly parties in the cause. Thus twenty voters, and of these twenty, thirteen only legal voters, carried a deed against twenty-three standing in solemn opposition before them, under cover of all legal forms that, in the circumstances in which they then stood, it was possible for them to employ.

In this most extraordinary crisis, the moderator of the former meeting of synod, considering the present moderator as having ceased to act as such, read the following declaration and protestation:—"Whereas, this meeting of synod have now passed a vote, and made a resolution upon the affirmative of that question, which has been insisted upon, in opposition to a proceeding unto the reasons of protest against the sentence of synod in April, 1746, with the answers to said reasons; and considering the two protestations which have been entered this

day concerning that affair; and considering that by the foresaid step this meeting of synod have materially dropt the whole testimony among their hands, allowing of, at least for a time, a material abjuration thereof; and considering that beside a considerable number of elders, the majority of ministers in this meeting,—who are the proper judges in a controversy of faith and case of conscience, and who could be judges in the present controversy,—have been all along at this meeting contending for the proper business and duty of the synod, in opposition to the contrary torrent:—Therefore, I, Thomas Mair, minister of the gospel at Orwell, do hereby declare and protest, that the lawful authority and power of this associate synod is devolved upon, and must be in a constituted meeting of the foresaid members, ministers, and elders, together with any other members who shall cleave unto them in a way of confessing what sinful steps and compliances they have fallen into upon this occasion; as likewise I declare and protest, that the foresaid members ought, in duty to the Lord and his heritage, to take up and exercise the authority and power of the associate synod, lawfully and fully devolved upon them as above, and for this end to meet to-morrow at ten of the clock, forenoon, in Mr. Gib's house, that they may regularly enter upon, and proceed in the business of the synod." After reading the above, Mr. Thomas Mair, with the other twelve ministers, and ten elders, immediately withdrew, the present moderator withdrawing at the same time, two o'clock in the morning of the tenth of April, 1747.*

A more deplorable circumstance certainly never took place in any regularly constituted church, nor one that more completely demonstrated how little the wisest and the best of men are to be depended upon, when they are left to the influence of their own spirits. The very individual persons, who, in a long and painful dispute with the established judicatures upon points of the highest importance, had conducted themselves with singular judgment, prudence, and propriety, here, upon a comparatively trifling question, and of easy solution, behaved in a manner not only disgraceful to the Christian, but to the human character

* Gib's Display, &c. &c. Scots Magazine for 1747.

—violating in their rage to carry a favourite point, by no means of the highest moment, the very fundamental principles of order, without preserving which, it is impossible rationally to carry on the affairs of society.

Following up his protestation, Mr. Thomas Mair, on the forenoon of the same day, April tenth, met with the brethren adhering to him, in the house of Mr. Gib, consisting of the following persons. Of the presbytery of Dunfermline, Messrs. James Thomson, Alexander Moncrief, Thomas Mair, George Brown, and William Campbell, ministers; Alexander Lyel from Burntisland, William Henderson from Abernethy, David Donaldson from Ceres, Thomas Bogie from Lesly, and Thomas Drysdale from Muckhart, ruling elders; of the presbytery of Glasgow, Patrick Edmond from Balfroon, ruling elder; of the presbytery of Edinburgh, Messrs. Adam Gib, Andrew Clarkson, Patrick Mathew, James Scot, John Whyte, George Murray, and Robert Archibald, ministers, with Andrew Graham from Linnithgow, Charles Scot from Midholm, Walter Henderson from Gateshaw, John Wilson from Dunse, and James Johnston from Annandale, ruling elders. The meeting was constituted by prayer, and Mr. Thomas Mair was unanimously continued moderator. The principal part of the sederunt was "spent in prayer, making confession of the Lord's goodness toward them, as also of their staggerings and shortcomings in his work." An overture to that purpose being then proposed, and deliberated upon with prayer, they unanimously passed an act asserting the constitution and rights of the associate synod, according to previous contentings for the same, in which "they did, and hereby do find according to the foresaid declaration and protestation, that the lawful authority and power of the associate synod is lawfully and fully devolved upon them, and lies among their hands—that they are the only lawful and rightly constitute associate synod, with the said authority and power—and that they are obliged, in duty to the Lord and his heritage, to exercise the same, for supporting and carrying on the testimony which the Lord has put into the hands of the associate synod, in opposition to the material dropping, and allowing of, at least for a time, a material abjuration of that whole testimony, by

the resolutions foresaid, and the method of carrying on the same." At another sederunt the same day, "they did, and hereby do find, that none of the ministers and elders, presently in a way of separating from the associate synod, and from the testimony among their hands, ought or can return to a seat in this synod, but in the way of confessing the sinful steps and compliances which they have severally fallen into about the two resolutions mentioned, and the method of carrying on the same; that none of the associate presbyteries can be lawful in their constitution or proceedings, but in a way of subordination to this synod." Clauses of the same import were passed with regard to sessions, elders, and probationers, and the young men presently on trials before the presbytery of Glasgow, were ordered to be remitted to one or both of the other two associate presbyteries; and finally it was resolved, that as the foresaid ministers and elders are hereby invited and beseeched in brotherly love to return unto their duty, so the synod ought in due time, and as the Lord shall clear their way, to consider upon calling them to account for their conduct aforesaid, according to the discipline of the Lord's house, providing they shall not return to this synod, in the way of confessing the sinful steps and compliances which they have severally fallen into as above.

After passing a number of acts relative to this subject, the synod proceeded to add two questions to their formula, for being put to young men before license, and to ministers before ordination, *viz.*—"1st, Are you satisfied with, and do you purpose to adhere unto and maintain the principles about the present civil government, which are declared and maintained in the associate presbytery's answers to Mr. Nairn's reasons of dissent, with the defence thereunto subjoined? 2d, Do you acknowledge and promise subjection to this presbytery, in subordination to the associate synod as presently constituted, in a way of testifying against the sinful management of the prevailing party in the synod, at some of the first diets of their meeting at Edinburgh, in April, 1747, or other presbyteries in that subordination, as you shall be regularly called; and do you approve of, and purpose to adhere unto and maintain the said testimony in your station and capacity; and do you sp-

prove of, and purpose to adhere unto and maintain the sentence of synod in April, 1746, concerning the religious clause of some burgess oaths, and that in opposition to all tenets and practices to the contrary?"*

During the last week of their sitting, they were joined by Mr. John Cleland, minister at Balfron, who had been absent when the rupture took place, and Mr. Andrew Arnot, minister at Dunnichen, who was absent from the whole of this meeting, concurred with his brethren on the first occasion afterwards. Mr. David Smyton at Kilmaurs, Mr. John Erskine at Lesly, and Mr. Isaac Paton at Temple-Patrick, in Ireland, returned to them at their next meeting, in August, making confession of their sinful steps and compliances, on the first week of the meeting of synod in April, as they had previously done before the presbyteries of Edinburgh and Dunfermline, and to a committee of the latter, which had held a meeting in Ireland. Messrs. Cleland, Smyton, and Paton, were ordained to meet with elders from their respective sessions, as the associate presbytery of Glasgow. To this presbytery, Mr. Andrew Thomson, minister at Mearns, adjoined himself, as he did to the synod in the month of December. Mr. Thomas Somerville, minister at Newcastle, took part with neither side. Thus it appeared in the issue, that out of thirty-one ministers who composed the associate synod, nineteen were opposed to the religious clause in the burgess oath.†

The protestors, or burghers as they have since been called, met in the usual place next day, and having the moderator, Mr. James Mair, and the clerk of court *pro tempore* Mr. William Hutton, along with them, have always contended that they were of right the only truly constituted associate synod. The ministers were Messrs. Ebenezer Erskine, Stirling, Ralph Erskine, Dunfermline, James Fisher, Glasgow, James Mair, Linton, William Hutton, Stow, David Horn, Cambusnethan, Henry Erskine, Falkirk, John Macara, Burntshields, Andrew Black, Cumbernauld, James Johnston, Dundee, John Smith, Jedburgh, and David Telfer, Monteith. Of the elders, we have not seen a list sufficiently accurate to be inserted. It does not

* Gib's Display, &c. pp. 72—80.

† Ibid.

appear that they adopted immediately any measure regarding their brethren, whom they had by the irregularity and the violence of their proceedings driven away; but in the month of October following, being assembled at Stirling, they published "An act, declaring the nullity of the pretended synod, that first met in Mr. Gib's house in Bristo, April the tenth, 1747. This act condemned and annulled the foresaid pretended synod, for the twelve following reasons, each of which they illustrated at considerable length:—

- I. The nullity thereof appears from this, that it was not lawfully indicted by the moderator, as the mouth of the synod, but by a private brother, without liberty sought or given, or any motion made to know the mind of the synod therein.—
- II. Because that pretended synod was indicted to meet on a sudden, even within a few hours; that is, at ten o'clock next day, in Mr. Gib's house.—
- III. Because the synod was already lawfully constituted before these brethren withdrew, and neither the moderator nor clerk, regularly chosen by the vote of the synod, were present in that foresaid meeting.—
- IV. Because elders are elected by their several sessions, as commissioners to the synod, but these brethren separated themselves from the synod, and constituted without the consent of the sessions whom they represented, and therefore could not represent them in a pretended constitution of synod, which the church knew nothing of when they were elected and commissioned.—
- V. Because the person who indicted that nominal synod to meet in Mr. Gib's house, as he only called a part, and not the whole of the constituent members of the associate synod, so he excluded ministers, and also elders who were lawfully elected, to attend.—
- VI. Because it is not the associate synod to which accessions were made for a considerable time bygone, by ministers and others.—
- VII. Because this meeting was called and indicted irregularly, in respect of the circumstances both of time and place; namely, at the time when, and in the place where the associate synod were sitting regularly constituted, in the name of the glorious head of the church, the Lord Jesus Christ, whose presence was invoked by the moderator, as the mouth of the synod.—
- VIII. Because, on the one hand, there was no sinful thing required of these brethren; no new or un-

lawful term of communion imposed on them; no imposition at all put, or so much as proposed to be put upon them by their brethren differing from them in their judgment in this matter.—IX. Because at that meeting, at which our brethren withdrew, April ninth, [tenth] the synod was as lawfully constituted as in any former meetings; particularly as lawfully as it was April the eighth.—X. Another reason of the nullity of the said pretended synod, is their constitution's being founded on many grievous calumnies and heavy charges laid against the synod, without the least shadow of proof.—XI. Another reason of the nullity of the said pretended synod, that it consisted of members, who, upon their disorderly separating from the synod, and constituting apart from it, sustained themselves not only sole judges, but judges and condemners of the two votes against which they read their protestations.—XII. There is just the same reason for nullifying this pretended synod, and the five acts they mention in the title of their book, that the famous assembly at Glasgow, 1638, give for nullifying the pretended assembly at Perth, and the articles that were concluded there, commonly called the five articles of Perth.* Previously, we suppose, to the passing of this act, the burghers had twice requested an extra-judicial meeting with their brethren for prayer and conference, in order to their regaining that harmony in the cause of truth, which had been so unfortunately lost; but adhering to the letter of their acts, their offended brethren would not grant any such thing—and here all judicative procedure regarding them, on the part of the burghers, as well as all attempts at reconciliation, seem to have rested.†

Having determined to proceed against their brethren with the highest censures of the church, the antiburgher synod, as it was now called, drew up at considerable length a libel of which

* Re-exhibition of the Testimony, &c. &c. pp. 265—282. It cannot surely escape the notice of the reader, that all these reasons could with equal propriety be urged against the original constitution of the associate presbytery.

† Brown's Historical Account of the Secession, p. 98.—Their forbearance, however, in this respect, they themselves have stated to have been only a matter of expediency. Perhaps it would have been as well if their brethren on the other side had copied after their example.

the above act served to form a prominent article; which after being consulted on at different times, was put into their hands, with a summons to appear and answer to it on the fifth of April, 1748. They were accordingly on that day formally called in court, but not one of them appeared. On the day following, they were, by the synod, declared contumacious, and the libel was declared, if proven, to be relevant to infer censure. The next day, however, Mr. William Hutton appeared at the bar, and craved leave to read a paper, though he acknowledged it was not in the form of answers to the articles of the libel, but contained his mind about the affair, and was allowed accordingly. This was upon the whole a circumstance of no importance, but in as far as it showed what might have been done in the way of making peace, had there been a little more patience, and a little more of the spirit of conciliation among them. He began by assuring the synod that "he had now retracted his protest against the decision of the synod in 1746, regarding the burgess oath, and was one that had no longer freedom to stand in opposition to it, nor could he now approve of the transmission in the second resolution, or vote, which occasioned so much mischief, being of the mind that it ought to have been dropped for the sake of peace; besides other objections he had against it, which he would tell any of the ministers hearing him in private." This we cannot but think was nearly giving up the controversy. But he went on to the ulterior proceedings of the synod, which he very naturally viewed upon the extreme side—alleging that they had excluded, or that their doctrine went to exclude, ruling elders from being judges in controversies of faith, and cases of conscience—and of course condemned; and though he professed love to them as brethren, yet he declared his resolution to continue in the exercise of his ministry, notwithstanding any sentence they might pass upon him. In all this there does not appear to us that there was any difference of opinion, but what arose from pride and passion, which nothing was wanting to do away, but a little mutual concession and candid explanation. Nothing of the kind, however, was to be found on this occasion; indeed the proper time for the exercise of either had in a great measure gone by, and Mr. Hutton was only dis-

tinguished from his brethren by being put foremost in the censures that were afterwards pronounced. These censures were carried on from one stage to another, till in the month of February, 1750, they were concluded with the greater excommunication.* All these censures, whatever may be thought of their expediency, were gone about with great gravity and seriousness. Days of fasting and humiliation were kept on account of them, through all the congregations belonging to the body, at every succeeding stage of their progress; and there was scarcely one member of court, who did not acknowledge, with professions of deep sorrow, having erred in judgment or in temper, on that mournful occasion, when the bond of their brotherhood was broken.

At the same time the synod was carrying on this process against their brethren, they prepared a libel against Thomas Nairn, who, as we have already seen, in the year 1743, went over to the old dissenters. In obedience to the summons, Mr. Nairn appeared before them on the fifth of January, 1748, and answered to his libel, in which he was accused of denying and impugning the civil government of these lands, of refusing subjection to it, even in things lawful; and of having made a groundless and unwarrantable secession from the associate presbytery, now the associate synod, &c. &c. Mr. Nairn declined the authority of the court, but read a long paper, in which he owned the articles charged against him, but vindicated his conduct in every respect regarding them. He was cited *apud acta* by the moderator, to appear next day. Not appearing, he was declared contumacious, deposed, and laid under the lesser excommunication, in which state he remained till the year 1750, when he was, along with the nine separating or burgher brethren, laid under the greater excom-

* A few days before these brethren were thus laid under the greater excommunication, Mr. John Swanston, whom they had ordained to a congregation at Kinross, was deposed, and laid under the lesser excommunication, as were also Messrs. John Potts, and James Bennet, whom they had licensed as preachers. Mr. Patrick Mathew alone dissented from the sentence, and showing some leaning towards his former brethren, was himself shortly after subjected to the same treatment.—Gib's Display, &c. Scots Magazine for 1750, &c. &c.

munication. What was principally remarkable in his case, when he gave in his declinature of the court, and was cited to appear before it next day, was his being accompanied by seven persons who in a tumultuary manner declared their adherence to it, and one of them, John Hastie, a printer in Edinburgh, calling himself officer, *pro tempore*, to the reformed presbytery, attempted verbally to execute a summons against Mr. Thomson, moderator, Mr. Moncrief, and all the other members of synod, but being interrupted by an inquiry for his warrant, he laid down two papers, copies of a libel against the members of synod, subscribed John Cuthbertson, moderator, and bearing a written summons to compare before the reformed presbytery, in Mr. Macmillan's meeting-house at Braehead, Dalserf, on the sixteenth of February next, subscribed "John Hastie, officer," and by Andrew Boa and Gavin Veitch, as witnesses, who immediately came forward to certify the officer's warrant. On further inquiry, George Brown, and John Brackenrig came also forward, and as elders, avowed themselves members of the reformed presbytery; Messrs. Marshal and Cuthbertson, ministers belonging to that presbytery, were also alleged to be present. They were all of course summoned *apud acta* to appear before the court next day; and the two latter, from an uncertainty of their being in the house, had also written summonses put into their hands that same evening. None of them appeared next day, but they were proceeded against as contumacious, and the synod solemnly deposed Messrs. Alexander Marshal and John Cuthbertson from the office of the holy ministry, George Brown and John Brackenrig from the office of ruling elders, which offices of the ministry and eldership they pretended to have been invested with, and laid them, together with John Hastie, Andrew Boa, Gavin Veitch, and Alexander Young, under the lesser excommunication, with certification, that unless they made speedy satisfaction, they would be proceeded against with a higher censure. Nothing further was ever done respecting these persons, and it is not a little remarkable, that while the old dissenters have in their Act, Declaration, and Testimony, brought this case of discipline exercised on some of their members particularly forward, and stigmatized it, perhaps very justly, as a wanton prostitution

of church censures, they have carefully concealed the equally ridiculous conduct of their own presbytery which occasioned it, and which could not have been followed out but by similar prostitution.*

Nothing, it might have been supposed, could have been more detrimental to the interests of vital godliness, and especially to the public cause among their hands, than this conduct on the part of the seceders. Faction, personal pique, and self-will, had been liberally charged against them by their enemies, and even by some who were really their friends in the establishment, and now the truth of all these charges was supposed to be amply demonstrated by their conduct towards one another. Instead of that brotherly love, and that bearing of one another's burdens, which had distinguished them amid the many reproaches and privations to which they had been subjected, there seemed to be a disposition very generally to add to that reproach, and to render these privations still more intolerable. Their meeting-houses had not yet been dignified with the name of chapels, nor were they either in respect of external or internal embellishment, worthy to be compared with places that had formerly, or have been latterly so called, but they were such as suited the purpose of the modest builders, and in the then state of the country, had been reared with no little difficulty, and who should first be able to seize upon them, was an object keenly contested between the conflicting parties. In many instances, when it could be accomplished by law, they were taken possession of without the least regard either to reason or justice, so that a number of congregations were most unrighteously cast out into the open fields, and even there, it was but in particular places that by the violence of party rage they could be allowed quietly to enjoy what had been so often and so loudly declared to be the birthright, at least of every British subject, the privilege of worshipping God according to their own consciences, and, as they believed, the light of his word.

Had the ruling faction in the establishment been possessed of

* Act, Declaration, and Testimony, &c. &c. by the Reformed Presbytery, p. 145.

either prudence, or any thing like moderation, they certainly had now a most favourable opportunity for regaining that hold of the affections of the people, which they had been for a long period, by their violence and their folly, so evidently throwing away; but unfortunately they had all along affected to treat the secession with contempt, now they imagined they might do so with more impunity than ever, and instead of yielding in the smallest iota to the wishes of an abused people, seemed to carry their measures every year with a higher hand, and with a more determined and bitter spirit of despotism. They did not take into their account, that though the seceders had been guilty of remarkable imprudencies in their disputes with one another, they had lost none of their abilities—they were as faithful among their people, and as powerful preachers as ever. In all these respects they were probably improved rather than otherwise, by the collision that had taken place; and before their opponents in the establishment were aware, instead of one seceding congregation in one neighbourhood, they had two, furnished with able ministers, equally determined, by diligence and good conduct, to supplant each other as well as the established ministers in the affections of the people, so that contrary to all rational calculation, this melancholy ebullition of passion and prejudice was overruled in a very few years to more than double the number of ministers in the secession at large, and with the assistance of the General Assembly, to triple their congregations.

A decline in the life and power of religion has in all churches, for a time at least, been attended with an apparent increase of zeal for its external forms, and in proportion as the duties of the clerical character became irksome to the possessor, the temporalities attached to it become objects of painful solicitude, and of supreme desire; and it would have been vain to have expected that it should at this period have been otherwise with the church of Scotland. The doctrines of the gospel were disappearing rapidly from her pulpits, where a mongrel harangue, sometimes assuming the garb of philosophy, sometimes that of morality, but akin to neither, was every day becoming more prevalent; equity had in a great measure forsaken her courts, whose decisions had long been wavering, vexatious, partial, and

tyrannical. The sword of discipline she was brandishing in the faces of her faithful children, who would gladly have averted her disgrace, while she cherished in her bosom hollow friends and insidious enemies, who were secretly sapping her very foundations. Yet she ceased not to enact the more frequent administration of the sacrament of the supper, with all its appendages of preparation, to make a pompous parade of respect for her constitution, the regular observance of fundamental laws, and the comfort and edification of her people.

No General Assembly had as yet ventured to say that the patron's presentation was that alone which constituted a call to a congregation. A majority of heritors and elders, it was still pretended, even by the advocates of patronage, was necessary to give it validity. This, however, being supported by all the influence of the government—the members of which, have rarely, if ever, since the dawn of the Reformation, taken any interest in the affairs of the Scottish church, except to enslave her office-bearers, and to corrupt her institutions*—they

* Lord Ilay, late Archibald duke of Argyle, had long been, and was at this time the prime agent for directing and managing church intrigue. Under his auspices Dr. Cumin was long the Scottish metropolitan. He was succeeded by Dr. William Robertson, whose independence of management has been often boasted of, how justly the following letter from one of his principal assistants will declare. It is very amusing to hear these pensioned sycophants dignifying themselves and their coadjutors as the only *friends to government and law*!

" Mr. Shaw informed you by last post of the sudden death of our friend poor Dr. Jardine. Few things could have happened more affecting to the circle of his friends and companions; and in the present situation of affairs in the church, it is a real and great public loss. Two offices are vacated by his death, beside that of minister of Edinburgh, one of the deans of the chapel royal, and dean to the order of the thistle. The last he got created for himself, without any salary, but the perquisite of £50 upon the instalment of every new knight. It is of the very greatest importance to us, that these offices be bestowed upon moderate clergymen, especially after the late preferment to the chaplainry of Stirling castle. The lord chief baron informed me of the plan which you was so good as to concert with him and Northumberland in my favour. I submit most entirely to you and him whether it be proper to make any application for me. Dr. Robertson, I know, has writ to Sir Alexander Gilmour and Mr. Dempster, representing, that unless the ministry choose to bestow those marks of their countenance upon such clergymen as are friends to government and law, he, for his part, will entirely

found little difficulty in obtaining, especially as in their mode of calculation, the vote of a non-residing heritor was as good as that of one who was resident, and that of him who was possessed of five hundred a year, equal to ten of one who possessed only fifty. This arithmetic, however, was understood nowhere beyond the walls of the assembly house—even there, by a respectable minority, it was derided—and individuals acting upon it, felt themselves pursued with so much reproach and infamy, that presbyteries could almost in no instance be found to undertake settlements upon such a narrow basis, and the assemblies had been under the necessity of doing that by special committees, composed of the more fearless of their followers, which ought to have been, and really was the proper duty of presbyteries. In this case, the popularity, and consequently in a great measure the usefulness of a whole neighbourhood of clergymen, was not destroyed at once, but the person so inducted was more completely degraded in the eyes of the people, and it gave a handle to a yet formidable party in the church, who were still struggling to preserve some small portion of her primeval purity, as it was, in all ordinary circumstances, altogether unconstitutional. Patronage, indeed, had now accomplished that for which it was originally intended, and what all good and wise men had predicted would be the result of its exercise—it had filled the presbyterian church of Scotland with its own creatures, and patrons were at this time

withdraw from all sort of church business and management; and he has mentioned Dr. Drysdale (for whom he had before applied for Stirling castle, without knowing that I was on the field,) myself and Mr. Lindsay, (whom Mr. Hume insisted he should name) as proper persons. I believe solicitor Dundas has recommended Mr. Webster, and one Dundas: if they should be the men, faction will be understood to be supported from above, and it is vain to think of supporting the cause of patronage any longer in this country. I have writ to lord Northumberland and the chief baron by last post; uncertain, indeed, whether the last be now in London or not. Mrs. Blair joins with me in begging to have our best respects presented to Mrs. Oswald and you; and I ever am, with the highest respect and esteem, Dear Sir,

“Your most obedient, and obliged humble servant,

(Signed,)

“HUGH BLAIR.”

“*Monday, 2d June.*”

Memorials of the right honourable James Oswald, pp. 119—121.

taking the benefit of their services, for securing not only their interests for the present, but rendering opposition to these interests hopeless for the future. They even went the length of raising prosecutions before the court of session, claiming the fruits of the benefice in cases where their presentees had been set aside, and others inducted by the ecclesiastical courts, which, in more cases than one they actually obtained,* and uplifted during the incumbency of these, by the want of a legal presentation, unqualified persons. At the same time the

* Never were the abominations of patronage, and its injurious influence upon all parties concerned, more apparent than in one of these cases—that of Lanark. Lockhart of Lee had been infest in the patronage of that parish in the year 1647, and his right had never been called in question. On this occasion, however, Lockhart of Carnwath, the bitterest and the most mischievous enemy that has appeared against the Scottish church in modern times, put in a claim, and presented, probably for the pure purpose of creating trouble, for the court of session found that he had nothing to found upon. The town of Lanark, in consequence of a political intrigue, in which they were supported by the officers of the crown, claimed the patronage too, and presented likewise. In favour of their object, they also procured a presentation from the crown. The presbytery finding no patron, except Mr. Lockhart of Lee, upon their books for such a length of time, made no scruple of ordering the settlement of Mr. Dick, which, in consequence of the opposition carried on by the magistrates and the mob of Lanark, took place in the Tron Church of Glasgow, under the eye of the synod of Glasgow and Ayr, who, at the same time, entered upon their records several circumstances highly honourable to Mr. Dick, and of course very much the reverse to those who opposed him. Failing in their object, the town of Lanark withdrew their claim to the patronage, or rather threw their influence, such as it was, into the claim made for the crown, with whom, by a decision of the house of lords, which has been said to have proceeded upon their misapprehending the Scottish ecclesiastical law, it was finally found to rest. Two of the magistrates, and a number of the inhabitants of Lanark were tried before the high court of judicature in Edinburgh, for the riots they had raised on the occasion, and several persons were sent to the plantations on account of them. Mr. Dick, “one of the ablest and most distinguished men whom the Scottish church ever possessed,” laboured at Lanark for four years, the crown all the while uplifting the fruits of the benefice; and what was still worse, expended his patrimony in the defence of his own and the church’s rights, which, though he was translated to Edinburgh, where his sphere of usefulness was greatly enlarged, and he enjoyed the love and esteem of all good men, clouded the remainder of his days, and brought him evidently to a premature grave.—Account of the Life and Writings of Dr. Erskine, by Sir Henry Moncrieff Wellwood.

spirit of the country was in such opposition to the system, that it was found in many instances impracticable to serve the edicts of presentees, or to induct them without a military force, which was always at hand to assist in such pious and edifying services. The civil as well as the military power of the country too, concurred; and a considerable number, both of men and women, were sent, by the lords of justiciary, to learn submission to this ecclesiastico-politico authority in the plantations. Encouraged by these powerful auxiliary operations, the leaders of the assembly, 1750, "referred it to their commission, to consider of a method for securing the execution of the sentences of the assembly and commission, and to prepare an overture thereanent, to be laid before next General Assembly; and in case presbyteries shall be disobedient to any of the sentences of this assembly, in the particular causes that have been determined by them, the General Assembly, empowers their commission to call such presbyteries before them and censure them as they shall see cause."*

The poverty of the Scottish church had been a theme for declamation ever since the Revolution, but so long as the episcopalians were clamouring for a share in the favour of the government, it appears to have been considered the best policy on the part of her ministers to rest contented with what they had, rather than invite comparisons between themselves and the curates, who latterly, at least, were certainly, in Scotland, not overpaid for their labours. The rebellion, however, in which the episcopalians had fairly committed themselves, having in its receding waves totally swept away the long-cherished expectations of that body, the established clergy seem to have aspired to a little more of court favour, and a little more of worldly grandeur. In the year 1748, it was accordingly overtured to the assembly, by a synod of the south, and another of the west, that there ought to be an immediate application by the assembly to the British parliament, for an augmentation of stipends, which they apprehended would be cheerfully granted to their unanimous application. For this application they assigned the following reasons:—1. The length

* Index to Acts of Assembly, 1750.

of time that had elapsed since the stipends had been settled, and their utter inadequacy—few of them being above sixty pounds a year—to the support of a minister's family, now when the value of every article of living had been more than tripled since that settlement was made.—2. The general increase of population, and consequently of toil in performing the various parts of the ministerial office.—3. That depression of spirit induced by a state of mean dependance upon their people, which necessarily lowered their character, and brought disrespect even upon their sacred function.—4. The consequent distraction of their minds between the performance of the duties of their sacred office, and the prosecution of some secular business, which was too often necessary for the support of themselves and their families.—5. Their utter incapability of exemplifying that charity, hospitality, and beneficence, which was necessary to give full effect to their doctrine.—6. That there might be some reasonable encouragement afforded to gentlemen to educate their sons for the service of the church; which, in the present depressed state of church livings, was not to be expected.—7. That there might be no longer occasion for transportations, which were become common, and from which there daily flowed manifold inconveniencies.—8. and lastly, The uniform and zealous attachment of the church of Scotland to the royal family on the throne, and to our present happy constitution, particularly in times of rebellion and public danger, gave them, they inferred, good grounds to expect at least “a fair hearing with his majesty, king George, and with every honest whig in the British parliament.” These overtures were not in the first instance adopted, but the assembly, 1749, appointed a committee to inquire into the particular condition of every parish in Scotland, the state of the tithes, &c. &c. and to prepare and adjust the whole affair for the consideration of next assembly. This committee having laid a memorial before the assembly, 1750, and warmly recommended the proposal, after a pretty lengthened discussion, the assembly passed an “act and resolution, concerning an application to parliament for an augmentation of ministers' stipends.” To prosecute this resolution, they appointed a commission, consisting of Mr. Robert Paton, minister at Renfrew, the moderator, Mr. Patrick Cuming, professor of church his-

tory in the university of Edinburgh, and one of the ministers of the city, Mr. William Steel, minister of Sorn, and Mr. David Dalrymple, advocate and procurator for the church. They also recommended it to Mr. William Steel, of Weygateshaw, and minister at Dalserf, who had been one of the principal movers of the subject, to go along with the commissioners, and to assist them with his counsel. A committee was also appointed at home, with whom the commissioners sent to London were to correspond from time to time, and from whom they were to receive such instructions as might be found necessary.

Whatever might be the expectations formed by the assembly, it was soon discovered that to interfere with men's purses was a very different matter from interfering with their rights, whether as men or as Christians. A dissent from the assembly's resolution was entered by a number of the principal lay members the moment it was passed; several counties had anticipated them by strong resolutions to the contrary, and by the month of October, the landed proprietors of Scotland seemed to be arrayed against them as one man. The lairds of Aberdeen, watchful and prudent, "taking into their consideration the repeated endeavours of many of the ministers of the church, to promote an application to parliament for an augmentation of stipends," could not perceive any such rise in the price of provisions, "as to afford any decent pretext for a measure so very pernicious." A taste for luxury, almost universal, they did admit had made living more expensive, while rents were little improved; but they hoped the clergy would endeavour by their example to retrieve that frugality, which the poverty of the country had rendered such a necessary virtue. Elgin set her foot to that of Kincardine, and they could see no end an augmentation of stipend could serve, but to gratify avarice, encourage luxury, occasion animosities in the country; and, as it might very probably overthrow the established church, they could not but hold the scheme in abhorrence. In short, they found out between them, that "the ministers of the Scottish church were better provided for than any others now are, or ever were!" and therefore it was much more reasonable to petition for a

diminution, rather than an increase of their emoluments. The wise men of Nairn saw, even in their northern corner, where stipends were the smallest, ministers laying out money at interest, and daily making rich; and therefore hoped "that the General Assembly, whose claim to be termed venerable they wished might still continue, would check the rash inconsiderate attempts made by some among them, who, for their own selfish ends, would disoblige the best friends of presbytery, and give great advantage to its enemies, and the enemies of our happy constitution too, by carrying on this dirty and avaricious project." The drovers of Dunbarton had all possible regard for the clergy of the church of Scotland, when acting in their proper sphere, and enforcing, by their example, these virtues which they so well recommended from the pulpit; but they were afraid the scheme proposed, instead of promoting the great ends of religion and virtue, would have a tendency to disunite some of the best friends to our happy constitution—to alienate the hearts of hearers from their pastors—and, finally, to increase the secession, which they were obliging enough to say was far too widely extended already. The incipient Northern Athens, declared, not, perhaps, without a feeling of hope, and a secret wish that her predictions might prove true, that if the scheme should succeed, it would be highly detrimental to the landed interest of Scotland, and a strong encroachment upon gentlemen's property, putting their rights to the tithes, purchased for high and valuable considerations, into utter confusion, and laying a foundation for interminable and inextricable lawsuits; as well as endangering the tranquillity of the country, the interests of religion, and of the clergy themselves, by souring the minds of their people, and alienating, what was to them evidently of the last importance, the affections of the landed interest in general. To provide against circumstances so alarming, a standing committee was here appointed to take all legal steps for meeting the applicants in parliament, by every method of legal opposition; with power to correspond with neighbouring counties, and to collect money as they shall see cause. At the head of this committee were the earls of Morton, Lauderdale, and Hopetoun, three gentlemen probably possessed of nearly as much church

property as would have satisfied, and more than satisfied all that was at this time either sought or expected.

It will now, we are of opinion, be very generally admitted, that there was nothing unreasonable in this application of the Scottish church, though it might easily have been foreseen that it could not be successful. The nobility of Scotland, had, even at the time when they professed great zeal for religion, for the church, and for her best interests, shewn their determination to hold whatever part of her patrimony, amid the confusions of the times, they had been able to seize upon, as their unalienable property; and it was not for a moment to be believed, that they would now, when they were less pious, less dependant upon the favour of their countrymen, and from their connexion with England, and the expensive habits of living thence acquired, more needy than ever, relinquish any part of it without a struggle of the most violent kind. From the recent state of the country, too, they ought to have considered that the English ministry would be cautious of countenancing a measure, which, in the nature of things, was calculated to excite new irritations. Besides, by the violence of their conduct, they had recently reduced not a few of the church livings to mere sinecures, and the same measures were likely, if persisted in, to increase the number of such places; it could not, of course, be with a good grace that their commissioners demanded of the government an additional salary, for services, which, in so many places the people were hiring men, and paying them out of their own pockets to perform. The speech of the commissioner on dissolving this assembly,* might, indeed, have sat-

* The following is a short excerpt from this speech:—"Your moderation and unanimity in private causes, will, I am persuaded, give universal satisfaction; and the authority of the chair has been maintained with dignity, and at the same time with great indulgence. But there is one point, with regard to which I cannot be altogether silent; and what will be the consequence of your decision in that affair, time alone, which lays open every event, will soon discover. If, by aiming at too much, you should lose all; if, by refusing to listen to the reasonable proposals of your true friends, they have it no longer in their power to give you that countenance and assistance which they sincerely meant; if, by forsaking the proper plan proposed for obtaining relief to your distressed brethren, they should still continue under pressing difficulties

ified them that they were to receive no countenance from the government—yet they seem to have been not a little sanguine upon the subject; the commissioners took their departure for London in the month of November, where they continued for many months, holding from time to time unavailing interviews with the different public men of the day, and amusing their constituents with vague accounts of those interviews, till all parties being heartily tired, they were allowed to return home—the church of Scotland remaining as she was, only a little more humbled, and the civil powers a little more strongly convinced of the servility and timeserving character of her leaders.*

The assembly in the meantime, 1751, proceeded to carry into effect their resolution of having their decrees promptly carried into execution by the inferior courts. There was accordingly, May the fifteenth that year, a reference brought into the assembly from the synod of Lothian and Tweeddale, upon a complaint given in to them in name of lord Torphichen, patron, and other heritors of the parish of Torphichen, callers of Mr. James Watson, against the presbytery of Linlithgow, for not obeying a sentence of the last General Assembly, appointing them to ordain and admit the said Mr. Watson as minister of that parish. The brethren of the presbytery rested their defence generally upon the following points. That they not only saw a strong opposition to the settlement in the parish of Torphichen, but a flame rising in the country, which should they have had any hand in that settlement, was certainly to spread into their own parishes, and to scatter their congregations, so that to preserve in some measure their own usefulness

and hardships; and, (which is of the highest importance) if unhappily the honour and credit of this church should any how be sullied, or her peace and tranquillity disturbed, allow me to say, that as this must afford matter of real concern to many of the sincere wellwishers of the church, so doubtless, they will lay the blame on those who at present imagine they have had the greatest merit in bringing about this measure. In such a disagreeable event, nothing could allay the pain which I must feel, but the reflection that I had not been wanting in my duty to warn you of the approaching danger; and you must then allow, that I was not 'your enemy, because I told you the truth.'—*Scots Magazine*, 1750.

* *Scots Magazine* for 1750, 1751.

as ministers of Christ, and that they might, with some prospect of success, pursue the important ends of that ministry, they found themselves under a necessity to decline procedure, notwithstanding the assembly's order to the contrary. At the same time they "conceived it perfectly agreeable to presbyterian government, and the constitution of this church, that the authority of all its judicatures should always be exercised in subordination to the absolute authority of Jesus Christ, the only King of his church, and with a tender regard to conscience, of which God alone is Lord; and therefore their injunctions should never be arbitrary, nor such as might not be dispensed with, in any case whatsoever; and that the authority of the church could never fall into contempt by such a gentle and temperate exercise of it; and, admitting that the sentences of the supreme judicature must pass into execution, this might be easily done without bearing hard upon the consciences of any, as persons might be found to execute them, who were not in such circumstances that their success and usefulness as ministers would suffer by their executing of them, and who could without violating their consciences, proceed to the execution of them."* After a long discussion, the vote was put "censure the said presbytery, or not," and it carried censure. The Rev. Principal Wishart dissented from this decision, and there adhered to his dissent twenty-one ministers and one elder. Their reasons of dissent were given in, with a request that they might be read and recorded. This, however, the assembly would not permit; but they ordered the paper to be received, that it might lie *in retentis*.† A sentence of suspension against the

* Scots Magazine for 1750, 1751.

† The following are the reasons given against this decision by the Rev. Principal:—"I. Whatever privileges the church of Scotland has by law, these can never make her a merely voluntary, or merely legal society; so as to be governed only by rules of her own making, or only by civil laws, or by both together; but she must still be reckoned a part of the church of Christ, of which he alone is Lord and King, and which has a government, appointed by him, distinct from the civil magistracy: and all the members of it are to be subject to his laws alone, absolutely, and without reserve. And, therefore, we think the censures of the church are never to be inflicted, but upon open transgressors of the laws of Christ himself, its only lawgiver; nor can we think that any man is to be constructed an open transgressor of the laws of

presbytery was then moved, but it was carried that they should only be rebuked, which they were accordingly. A committee was appointed to carry the settlement into effect, with which the presbytery was, as usual on these occasions, appointed to concur.

This was, however, the last indulgence granted to the scruples of particular individuals. Every thing that could be thought of, had been tried to bring the people by degrees to acquiesce in the appointments made by the patron, but without effect; and a new race of leaders were coming into action, who were not to be restrained by motives, either of fear, of shame, or of consistency, by which their predecessors had been fettered less or more in the whole of their progress, and in consequence of which public feeling had been occasionally soothed by an appearance of respect for

Christ, merely for not obeying commands of any assembly of fallible men, when he declares it was a conscientious regard to the will of Christ himself, according to the best of his understanding of it, that led him to this disobedience. And, therefore, this decision of the assembly seems to us a stretch of power, derogatory to the rights of conscience, of which God alone is Lord; and to the sole absolute authority of Christ in his church.

“ II. We have always, from our first entrance into this church, conceived, that presbyterian government, as distinguished from all other forms of church government, consisted in the parity of pastors, and subordination of church judicatures, as it is described both in the form of our subscription, and in the laws of our establishment; without implying, that even the supreme judicature was vested with absolute authority, or infallibility, or that an active obedience, without reserve, was to be given to its decisions, which we could never imagine to be a principle tenable by any Christian protestant church. Accordingly, our subscription and engagement to obedience and submission to the judicatures of this church, is with the express limitation of its being *in the Lord*; that is, in such cases only as we judge not to be disagreeable to the will of the Lord, of which every man has an unalienable right to judge for himself, as he will be answerable to the Lord; a right which he cannot give up to any man, or society of men, because it is not merely his privilege, but his indispensable duty; whereas this sentence, and the reasoning in support of it, seem to imply, that not one instance of declining, in the humblest manner, actively to obey, can be tolerated in the church.

“ III. Because we conceive that this sentence was by no means necessary to support the constitution and authority of the church. These are well secured, so long as the execution of the sentences of the supreme court may take place in many different ways, without bearing hard on the consciences of such as do not see with the eyes of the majority; or rather, who think what is commanded, not only unlawful in itself, but sinful in them to execute,” &c. &c.—*Scots Mag.* vol. xiii. pp. 220, 221.

the spirit of the institutes of the Scottish church. Accordingly, in the month of November following, the commission of this assembly appointed, with certification of a very high censure in case of disobedience, the presbytery of Dunfermline to admit Mr. Andrew Richardson, who had been presented by the patron in opposition to the wishes of the people, to the church and parish of Inverkeithing, against a day which was named. The presbytery, as had often been done in like circumstances, did not fulfil the injunction laid upon them. The moderator of the presbytery, indeed, who was appointed to preach on the occasion, protested that he should be at liberty to complain of the appointment to the next assembly, and a number of the members of court entered a dissent from it. A complaint notwithstanding of this was lodged against the presbytery by the patron, and a few parishioners of Inverkeithing calling themselves callers of Mr. Andrew Richardson, with a petition that the said presentation and call might immediately be made effectual. The commission found that they were perfectly competent to the settlement, and that they had full powers to censure the presbytery. When they entered upon the subject, however, and the question was put, censure the presbytery or not, it carried not. Against this acquittal, Messrs. William Robertson, John Home, John Jardine, Hugh Blair, Matthew Reid, Peter Simson, Abraham Home, ministers; the master of Ross, the lord provost of Edinburgh, Messrs. Alexander Macmillan, Andrew Pringle, Joseph Williamson, Robert Pringle, William Halawel, and Dr. Whyte, elders, entered their dissent. The commission, without a vote, appointed the synod of Fife to settle Mr. Richardson at their own convenience, any day before the first of May next, and to report their diligence to the ensuing assembly.

The synod of Fife were equally remiss with the presbytery of Dunfermline, and when the assembly met on the fourteenth of May, 1752, there was a petition and complaint ready to be preferred by the patron and others of the parish of Inverkeithing, against the presbytery of Dunfermline, for not executing the sentences of the last assembly, and of the commission in November, and against the synod of Fife for not settling Mr. Richardson according to an appointment of the commission in

March. There was also a petition and complaint of the members of the commission of last General Assembly, who had dissented from the judgment of that commission in March last, respecting the acquittal of the presbytery of Dunfermline, which they represented to be altogether beyond the powers of the commission; and in a long list of reasons of dissent, they declared it to be utterly inconsistent with the nature and first principles of society, &c. &c. The subject, it was evident, had now attracted the attention of the government, which had prescribed another, though certainly less expedient mode of procedure, which was announced to the court by the lord commissioner, the earl of Leven, in his opening speech, in the following terms:—"One thing, however, as a wellwisher to the government and good order of this church, I cannot pass over in silence. Allow me therefore to hope, that as it is our happiness to have regular meetings of our national assembly countenanced by our gracious sovereign, you will be careful to support her dignity and authority, and not destroy with your own hands our most valuable constitution, secured by law, so dear to your forefathers, so excellent in itself, and which your enemies have so often in vain attempted to wrest from you. The main intention of your meeting is frustrated, if your judgments and decisions are not held to be final; if inferior courts continue to assume that liberty they have taken upon themselves in too many instances, of disputing and disobeying the decisions of their superiors. It is now more than high time to think of putting a stop to this growing evil, otherwise such anarchy and confusion will be introduced into the church, as will inevitably not only break us in pieces among ourselves, but make us likewise the scorn and derision of our enemies; for, believe me, subordination is the link of society, without which there can be no order in government."* This was the essence of the reasons of dissent that had been given into the commission, on occasion of the presbytery of Dunfermline being dismissed without censure, in the month of March last, and abstractly considered, was perfectly just; but his lordship was equally careful—with his puppets, the dissenters from the

* Scots Magazine, vol. xix. pp. 238, 239.

commission—to conceal under the vail of a general proposition, which no person in the exercise of his reason ever called in question, the intolerable tyranny which dictated, and the monstrous iniquity which necessarily claved to the executing of these decrees. The due and orderly subordination of church courts, every man of common sense knew to be an obvious and an essential feature of presbytery, but every man of common honesty knew also that the consent of the Christian people, in order to constitute the pastoral relation between a minister and his flock, was an equally important part of the system. The first Book of Discipline, chap. ix. expressly states, “that no man should enter in the ministry without a lawful vocation;” and this lawful vocation, it is added, “standeth in the election of the people, examination of the ministry, and admission by them both.” The same thing is stated more at large in the second Book of Discipline, chap. iii. where it is said, that “without this lawful calling, it was never *leisom* to any person to meddle with any function ecclesiastical.” Agreeably to these statements, the formula of questions to be put and answered by the candidate for ordination in the Scottish church, were originally drawn up, and are still continued without any modification, so that these decrees of assemblies, of which we now treat, were necessarily void, because they were in direct opposition to the fundamental constitution, and to the entire spirit of presbyterial government; and because they could not be carried into effect, without involving all concerned in hypocrisy the most odious, and in perjury of the most heaven-daring character. Disregarding all considerations of this kind, however, the assembly found, “that the commission in March had exceeded their powers, and had not done what they were bound to do, conform to the powers given them by the last assembly.” The assembly immediately appointed the presbytery of Dunfermline to meet at Inverkeithing on Thursday first, at eleven o’clock, to admit Mr. Richardson minister of that place. Every member of presbytery was ordered to be present; and not less than five members were to be a quorum on the occasion. This appointment, was made upon Monday, was to be executed on Thursday; and on Friday, every individual member of the presbytery was to appear at the assembly’s bar at the hour of noon, to give

an account of his conduct in that matter. From this appointment a dissent was entered, as being a new infringement upon the constitution of the church, according to which three ministers were sufficient to constitute a presbytery, and as bringing those members of that presbytery who had openly declared they could not with a good conscience concur in that settlement, under the unhappy necessity of disobeying an express appointment of the assembly, and as preventing Mr. Richardson's admission, it being well known that three ministers of that presbytery were ready to admit him, provided the appointment were laid in general terms, without extending the quorum to five.

Friday the twenty-second, the assembly proceeded to call for the ministers of the presbytery to give an account of their conduct, in consequence of the above appointment, when there compeared Messrs. Robert Stark, Torryburn, James Thomson, Dunfermline, Thomas Fernie, ditto, David Hunter, Saline, Robert Stark, Kinross, James Stoddart, Culross, Thomas Gillespie, Carnock, Alexander Daling, Cleish, and John Spence at Orwell. "The moderator produced and read a letter from Mr. John Liston, Aberdour, representing, that according to the assembly's appointment, he did attend at Inverkeithing yesterday, but could not appear before the assembly this day because of his present indisposition; also a letter from Mr. James Bathgate, Dalgetty, shewing that he likewise did attend at Inverkeithing, but could not appear before the assembly on account of the indisposition of his family; there was also produced and read, a letter from Mr. Robert Steadman, Beath, together with an attestation from his physician, showing the bad state of his health, which made it unsafe for him to travel, so that he was not in a condition to obey the assembly's appointment concerning the admission of Mr. Richardson, which otherwise he would willingly and cheerfully have submitted to." All the other members of presbytery being present, were called upon one by one, and interrogated whether or not they had obeyed the assembly's appointment. "Mr. James Thomson represented, that according to the assembly's appointment, he came to Inverkeithing yesterday at ten o'clock, and there met with Mr. John Liston, and Mr. James Bathgate; that they

ordered the church bell to be rung between the hours of eleven and twelve o'clock forenoon; that immediately upon the ringing of the bell, they went to the session-house within the church of Inverkeithing, and there waited till two of the clock afternoon; that they were required, under form of instrument, by colonel Arthur Forbes and others, callers of Mr. Richardson, to admit him as minister there, but found they were not empowered to proceed, there being only three of them, whereas the act of assembly required five to make a quorum for the purpose of the said admission; that to show their readiness to execute the said sentence, before they left the church they intimated to all present, and ordered the presbytery officer to intimate at the most patent church door, that they were to stay an hour or more in town, in a house which they named, in order to meet with any other ministers, in case more should appear, so as to make a quorum, all which was contained in the instrument of protest taken by colonel Forbes, and now lodged in the clerk's hands, and accordingly they waited in town till five o'clock at night. Mr. Robert Stark at Torryburn, represented that he went to Inverkeithing yesterday morning, in order to converse with the elders, and others, opposers of Mr. Richardson's settlement, and endeavour so far to reconcile them to his admission, as to give him clearness to join in it; that having met with them, he did all in his power to soften them, but to no purpose, so that he left the place; that he had nothing farther to offer, but what was contained in a representation signed by him and other five brethren, to which he referred. Mr. James Stoddart acknowledged that he was not at Inverkeithing, and pled his peculiar situation, as by a sentence of the court of session he was found to have no title to the legal benefice in the parish of Culross, for which reason he had chosen to behave himself in the manner that appeared to him the most inoffensive, and had acted no part in the present question, or in other affairs which came before the presbytery. Messrs. David Hunter, Thomas Gillespie, Alexander Daling, Thomas Fernie, and John Spence, acknowledged they had not obeyed the assembly's appointment, and for the reasons of their conduct, gave in a representation signed by them and by Mr. Stark of Torryburn, whereof the tenor follows:—'To the very

reverend the moderator, &c. &c. of the church of Scotland, met at Edinburgh, 1752, the humble representation of the members of the presbytery of Dunfermline, whose names are hereunto subjoined.—We cannot but be deeply affected with our present situation, in being obliged to stand at the bar of this venerable assembly to answer for non-compliance with any of their appointments; but as this court is so good as to allow us to speak in our own behalf, we shall therefore beg leave humbly to represent some of those things which have all along straitened us in the execution of the orders we received, and which still lay such difficulties in our way, as we are not able to surmount. And this we hope to do with that plainness and honesty, and at the same time with that dutiful respect to the supreme judicatory of this church, which it is so justly entitled to expect from us. We need scarce observe how unjustly we have been represented as having no other difficulty but the unreasonable fear of opposing the ill-grounded prejudices of our people; nor need we inform this house, that ever since the act restoring patronages in the end of queen Anne's reign, there has been a vehement opposition to all settlements by presentations, where there was but small concurrence, which settlements have already produced a train of the most unhappy consequences, greatly affecting the interest of religion, and if turned into the stated and fixed rule of procedure, will, in all probability, be attended with every fatal effect. Now, under such a view and apprehension as this, was it any wonder, or was it inconsistent with that obedience which we owe to our earthly superiors in the land, that we should demur and stop short in carrying a settlement into execution, where, in our apprehension, there was by no means such a concurrence of persons residing in the parish, as might give sufficient weight and influence for promoting the great ends of the ministry. The assembly know well, that it appears from their own acts and resolutions entered into their records, that the law of patronage has been considered as no small grievance to this church, not to say as inconsistent with our Union settlement; and we find it declared, Act, 25th of May, 1736, that it is, and has been since the Reformation, the principle of this church, that no minister shall be intruded into any parish contrary to

the will of the congregation, and therefore it is seriously recommended, by the said act, to all judicatories of this church, to have a due regard to the said principle, in planting vacant congregations, so as none be intruded into such parishes, as they regard the glory of God, and the edification of the body of Christ; which recommendation we humbly apprehend to be strongly supported by the principles of reason, and the laws of our Lord Jesus Christ. Permit us to inform the assembly, that after repeated endeavours used by committees of the presbytery to lessen the opposition to Mr. Richardson in the parish of Inverkeithing, matters still remain in such a situation, that we are brought to that unhappy dilemma, either of coming under the imputation of disobedience to a particular order of our ecclesiastical superiors, or contributing our part to the establishment of measures which we can neither reconcile with the declared principles, nor with the true interest of this church. On the whole we cannot help thinking, that by having an active hand in carrying Mr. Richardson's settlement into execution, we should be the unhappy instruments, as matters now stand, to speak in the language of holy writ, of scattering the flock of Christ, not to mention what might be the fatal consequences of such settlements to our happy civil constitution. If the venerable assembly shall, on this account, judge us guilty of such criminal disobedience as to deserve their censure, we trust they will at least allow we acted as honest men, willing to forego every secular advantage for conscience' sake. In such an event, this, through grace, shall be our support, that not being charged with any neglect of the duties of our ministry among those committed to our care, we are to suffer for adhering to what we apprehend to be the will of our great Lord and Master, whose we are, whom we are bound to serve in all things, and on whom we cast all our care.' Mr. Robert Stark, Kinross, said he had not received the summons; that he was in Inverkeithing yesterday morning, but did not meet with the three brethren who were there, in order to execute the assembly's appointment, for which he offered his reasons, *viva voce*, but afterwards, of his own motion, he signified to the assembly, that he was sensible of the straits his brethren were in, and of the bad effects of disobeying the authority of

the church; that he was willing to expose himself to all hazards, and concur with the other three brethren who had shewn their readiness in obeying the assembly's appointment, in case they thought proper to renew the same. The moderator earnestly recommended it to the six brethren, who gave in the above representation, to consider seriously the situation they were now in, and take the opportunity they as yet had of saving themselves from the displeasure of the church; and being again called upon, and asked one by one if they had any more to offer, they declared they had nothing further to add, whereupon they were removed. The assembly then caused read over again the representation given in by the six ministers above mentioned, and proceeded to consider what was proper for them to do in the present case, and after long reasoning it was proposed, that the General Assembly should now resolve, that one of the six disobedient brethren should be deposed, whereupon the question was agreed to be put, depose or not, it being understood, that if it carried depose, the assembly's resolution should be as above: then the rolls being called, and votes marked, it carried by a considerable majority, ninety-five to sixty-three, depose." Accordingly the assembly resolved, that one of the said six ministers should be deposed, which was intimated to them, with an order to attend next day.

Next day, May the twenty-third, the assembly resumed the case respecting the brethren of the presbytery of Dunfermline, when the six ministers, who had given in the representation on the previous day, on being called, compeared. They were immediately removed, "and severally called in one by one, and asked if they had any thing further to offer, before the assembly should proceed to consider their case, pursuant to the resolution of yesterday. Mr. Robert Stark of Torryburn answered, that he hears there will be some further accession to Mr. Richardson in the parish of Inverkeithing, which if he finds to be such as may clear his way, that will open his eyes in that matter. Mr. Thomas Fernie answered, that as matters now stand, he has no freedom to have an active hand in the settlement; what he may do in a change of circumstances, he could not say till that change appears. Mr. David Hunter answered, that as there is no alteration in the case since yester-

day, as little can there be any in his mind and sentiments; if an agreeable accession happen, it will be neither his inclination nor interest to be backward. Mr. Alexander Daling answered, that he had nothing further to add. Mr. John Spence, that he choosed to add nothing. Mr. Thomas Gillespie read at the bar a short representation, similar to that which had been given in the preceding day, but containing a sentence or two additional from the grounds of the claim of the church of Scotland for the redress of the grievance of patronage, entered into the records of the assembly, May the twenty-second, 1736, which he begged might be now read, and that his representation might be entered in the records of court, or kept *in retentis* with other papers, and he had nothing further to add upon the subject. After the solemn mockery of prayer for light and direction to the assembly in their procedure, and decision of this matter, it was put to the vote which of the six should be deposed, when the votes came out thus,—for Mr. Stark, one, for Mr. Daling, one, for Mr. Fernie, one, for Mr. Spence, one, and for Mr. Gillespie, fifty-two: one hundred and two declined to vote. Mr. Gillespie of course was the victim, and the assembly proceeded, “In the name of the Lord Jesus Christ, the sole King and Head of the church, and by virtue of the power and authority committed by him to them, to depose Mr. Thomas Gillespie, minister at Carnock, from the office of the holy ministry, prohibiting and discharging him to exercise the same, or any part thereof, within this church, in all time coming. And the assembly did, and hereby do declare, the church and parish of Carnock vacant, from and after the day and date of this sentence.” This sentence Mr. Gillespie heard with becoming reverence, and made the following brief reply:—“Moderator, I desire to receive this sentence of the General Assembly of the church of Scotland with real concern, and awful impressions of the divine conduct in it; but I rejoice that to me it is given in behalf of Christ, not only to believe on him, but also to suffer for his sake.”

With regard to the other members of the presbytery of Dunfermline, “the assembly without a vote came to the following resolution, viz. they acquit Mr. James Stoddart, minister at Culross, in respect of his circumstances. They sustain the

excuse of Mr. Robert Steadman, minister at Beath, for not complying with the appointment of this assembly, and not compearing at the bar yesterday, in respect of his bad state of health: find that Messrs. James Thomson at Dunfermline, John Liston at Aberdour, and James Bathgate at Dalgettie, did their duty in attending at Inverkeithing, and showing their readiness to execute the assembly's orders, had there been a quorum, and because of the declaration yesterday emitted by Mr. Robert Stark, Kinross, at the bar, the assembly pass from any censure upon him for his conduct hitherto. And the General Assembly, taking to their consideration the case of the remaining five disobedient brethren of the presbytery of Dunfermline, who have signed the representation to this assembly, and that by the deposition of Mr. Thomas Gillespie at Carnock, they not only have asserted the authority of this supreme court, but have inflicted upon him a censure adequate to repeated acts of disobedience, adhered to tenaciously when at the bar; and that albeit the remaining offenders may have deserved the same censure, as being involved in the same transgression, yet being desirous to mix mercy and lenity with their judgment, do therefore remit to the presbytery of Dunfermline, to settle and admit the said Mr. Andrew Richardson as minister of the parish of Inverkeithing, on or before the eighteenth day of June next to come, and ordain an exact list of the ministers who shall be present on that day for the effect foresaid, to be made up, and entered into the minutes of the presbytery, with such excuses as shall be made by any of them, who shall happen to be absent; and the assembly empowers and requires the synod of Fife, at their first meeting, after the said admission, to consider the said excuses, and either to sustain or reject the same; and the General Assembly hereby suspends such of those who shall be absent, and shall not send excuses, from and after the day of the said admission, and such of them whose excuses shall be rejected by the said first meeting of the synod, after the admission, from and after the date of such sentence of the synod, from the exercise of their offices, in all presbyteries, synods, and General Assemblies, ay and until they shall respectively testify their sorrow for their disobedience to the acts and ordinances of the General Assembly, either to their own presbytery or

synod, or to any assembly or commission thereof, upon entering of which into the minutes of the presbytery, synod, or commission, they are empowered and required to take off this sentence of suspension, and to repute them, or any of them, respectively to the full exercise of their office in their judicative capacity: and it is hereby declared, that it shall be competent for any number of the said synod, to dissent from the judgment of the synod sustaining or rejecting the excuses offered, and that such dissent shall be a sufficient foundation for reviewing that sentence in the ensuing General Assembly.”*

This sentence, take it all in all, we believe has had but few parallels, even in the records of ecclesiastical tyranny, and it demonstrated, if any demonstration had been yet wanting, not only the justice, but the necessity of the secession, the sagacious leaders of which had, from the first mention of them, pointed out the futility of those acts by which it was attempted to cajole them back into the bosom of the church, particularly the act of the twenty-fifth May, 1736, which Mr. Gillespie and his brethren of the presbytery of Dunfermline, now, to defend themselves, brought forward in vain; and it might have been expected that these gentlemen would have seen the propriety, not to say the necessity, of going over to the standard of open and determined opposition, which had already been erected by that body. The history of the church, however, shows that the proper opportunity of standing forth in behalf of abused truth, once neglected but rarely returns; and her bitterest and most dangerous enemies have, on multiplied occasions, been such as once bade fair to have been her best friends. The worthy individuals of whom we now speak, were unquestionably in the main friends to what was really the secession cause, but they had imbibed many prejudices against the men who had espoused, and the modes by which they had managed it—for which recent events had given but too much occasion. This was greatly hurtful to themselves, as it was unfortunate for the interests of religion and liberty. Mr. Gillespie had himself been a seceder, and had entered upon the study of divinity under the first seceding professor, Mr. William

* Acts of the General Assembly, 1752. Scots Magazine for 1752.

Wilson of Perth; but he completed his course at Northampton, under the celebrated Dr. Doddridge, and was ordained among the English dissenters, some of whose peculiar views—though we have not been able to learn to what extent—he had most certainly imbibed. Of course he was a moderate presbyterian, and though he would not give up with the exercise of his ministry in obedience to the sentence of the assembly, he so far obeyed it, that he did not enter the church, but went out to the fields, where he preached on the Sabbath after his deposition, to a numerous and respectable audience, from these words of Paul, recorded 1 Cor. ix. 16. “Necessity is laid upon me, yea, wo is unto me if I preach not the gospel.” He continued to preach in this manner till the month of September, that he went in to a house provided for him by his friends in the town of Dunfermline. During the time he preached in the fields at Carnock, the presbytery appear to have forbore to occupy his church, but he no sooner went to his meeting-house at Dunfermline, than they ordered supply of sermon for the parish of Carnock.

Messrs. Hunter, Daling, and Spence, seem quietly to have submitted to the suspension of their judicative character, which was not restored to them for many years; and from the known views of Mr. Gillespie, who made little account of public appearances in behalf of religious principles, as well as from the plain and unaffected simplicity of his character, the leaders of the church probably imagined that from him they had nothing to fear, and they manifested no symptoms either of misgiving or of regret on the occasion. Many of the church’s best members, however, both ministers and private Christians, were deeply affected with the injustice done to Mr. Gillespie, as well as with anxious forebodings of what might be the final consequences of such arbitrary and cruel proceedings, and in the assembly, 1753, an attempt was made to have him reponed. For this end a petition was presented to the assembly from certain heritors, elders, and heads of families, in the parish of Carnock, and another from the presbytery of Dunfermline. It was in consequence of these petitions put to the vote, whether Mr. Gillespie should be reponed or not, and it carried not by a majority of three. From this decision a considerable number

dissented. There was indeed at this time a very general ferment in the church, and of a character hitherto unknown in it—a determination to resist the measures that had been adopted, for enforcing a regular and uniform submission to the law of patronage, but at the same time to preserve a standing within her pale, beyond the boundaries of which, notwithstanding the highest pretensions to catholic love, many seem to have considered the chances of salvation even more than doubtful. In consequence of this, the conduct of the party was wavering, feeble, and irregular, tending greatly to aggravate the evils against which, and giving signal advantages to the men with whom, it was their misfortune to contend.

The same General Assembly which refused to reponc Mr. Gillespie, sustained a presentation from the crown for Mr. Patrick Grant, minister at Duthil, to be minister of the parish of Nigg, and enjoined the presbytery of Tain forthwith to settle him according to the rules of the church, though it does not appear that he had the shadow of a call from the people; and, after a protracted litigation from assembly to assembly, and from assembly to commission during the three succeeding years, a number of the members of the presbytery of Tain were found censurable for refusing to concur in his settlement, though on the day appointed for it, the presbytery was met in the church of Nigg by only one individual person, who charged them with the blood of the parishioners of Nigg, in attempting to force Mr. Grant upon them as their minister, and immediately withdrew.*

Mr. Gillespie in the meantime had formed a congregation in Dunfermline, partly composed of his parishioners of Carnock, and partly of acceders from the neighbouring parishes, highly respectable both for its numbers and the character of its individual members. Here he was sedulously employed preaching the word, and dispensing the sacraments from time to time. The sacrament of the supper, in particular, he dispensed with great regularity, with all its usual accompaniments of fasting and preparation days, though he could not on these occasions obtain the assistance of any of his former brethren, not a few of whom he was anxious to employ, as they

* Scots Magazine, vol. xviii. p. 244.

would most gladly have been employed by him, but for the prohibition of the assembly, which they had already found was not to be trifled with. His toil was also so much the greater, that his case had excited a very particular interest, and on these occasions he was attended by multitudes of serious people from all quarters of the country, which rendered his table services often more numerous than common. He was also burdened with an extensive correspondence, and many applications for assistance, without any prospect of his being able to afford it, when an unexpected occurrence extended his views, and brought him into a new situation, which has had a permanent and an extensive influence upon the state of religion in general, and of the establishment in particular.

In the month of September, 1755, died Mr. James Winchester, minister of Jedburgh; and in the month of October following, the elders of that parish, deeply affected with the inroads that were every day made upon the rights of congregations, by the uncontrolled exercise of patronage, framed and subscribed a written agreement, to the following effect:—"Be it known to all to whom these presents may come, that we, the elders in the town and country parish of Jedburgh, do unanimously agree and resolve, through the strength of divine grace, to stand and fall together in the election or voice of a minister for this parish, against all solicitations, threats, or bribes whatsoever, or from whomsoever, and against all intrusion that may be attempted on said parish by any minister whatsoever, and that we shall cleave and adhere firmly to the majority of this parish in the choice, as aforesaid, and this we do certify," &c. &c. This paper was subscribed by seventeen persons, who immediately set about taking up the names of the parishioners in favour of Thomas Boston, minister at Oxnam, a small country parish in the neighbourhood, to be minister of Jedburgh. The crown, however, in whom the patronage of Jedburgh was lodged, paid no regard to these proceedings of the eldership, but in the month of February, presented to that parish Mr. John Bonar, minister at Cockpen, which presentation was duly accepted, and lodged with the presbytery, together with a petition for a call to be moderated for Mr. Bonar. Compareance was also made for the elders, and a

long paper given in against Mr. Bonar, whose only fault was accepting of the presentation, as he had always been opposed to violent settlements, and was upon the whole a popular minister. The case was carried, of course, from the presbytery to the synod, and from the synod to the General Assembly. Mr. Bonar, however, seems to have been unwilling to go to Jedburgh in the face of so much opposition, and he had also, in the meantime, been called to Perth, in consequence of which, the assembly represented to the lord advocate, agent for the crown, that in the event of fixing Mr. Bonar in Jedburgh, disagreeable consequences might ensue. His lordship signified his readiness, for the peace of the church and the quiet of the country, to submit to any expedient that might seem proper to the assembly for bringing the affair to a comfortable issue, saving to the crown the right to present anew to the parish of Jedburgh. The assembly accordingly declared "that the presentation and concurrence therewith ought to be sustained, but from its inexpediency, as matters now stand, that it shall be competent to his majesty, the patron, to present any qualified person to be minister of Jedburgh within six months, and they empowered the commission to take in, cognosce, and finally determine any question that might come regularly before them relating to the settlement of Jedburgh." The crown, instead of consulting the inclinations of the parish of Jedburgh, so clearly manifested, presented to them, before the six months had elapsed, Mr. John Douglas, minister of Kenmure, an object still less acceptable than Mr. Bonar, and whose call was signed by no more than five persons, though the population of the parish was upwards of one thousand souls. With this call the presbytery of Jedburgh refused to concur, and it came before the assembly, 1757, which remitted it back to the presbytery, and failing the presbytery, to the commission. Through the obstinacy of the presbytery, the case came again before the assembly, 1758, which enjoined the admission of Mr. Douglas to the parish of Jedburgh without delay.

The people of Jedburgh, it would appear, had from the first no great hopes of carrying their point with the assembly, and had begun to build for themselves a place of worship, into which Mr. Boston had already been inducted, with a splendour

that has never in such circumstances, we believe, been equalled in this country. On the seventh of December, 1759, the new church, as it was called, being finished, and all necessary preparation made for his taking possession thereof, Mr. Boston gave in his demission to the presbytery of Jedburgh, to the following effect:—"The demission of me, Mr. Thomas Boston, minister of Oxnam, humbly sheweth, albeit there are several things in the national church which have been all along disagreeable to me, yet the present mode of settling vacant churches, by the mere force of presentations, which has been so long persisted in, and is almost every year prosecute more vigorously, is so diametrically opposite to all the laws of Jesus Christ about that matter—has such a manifest tendency to fill the church with naughty members, to mar the edification of the body of Christ; and, in fine, utterly to destroy the dying remains of religion in the nation, that I can no longer sit a member of the present judicatories of this church, but must leave my place there, that I may take part with the oppressed heritage of God. When I entered on my ministry in the national church, more than twenty years ago, even then with concern I beheld violent settlements authorized by the General Assemblies thereof. But in these days there was a very considerable number of members who opposed such violences, and they were by their number and influence a pretty good balance against those who favoured them. Hence, when the General Assembly or their commission had authorized a violent settlement, the next assembly was readily composed of such members as were disposed to check and control these tyrannical measures. But, alas! the times are visibly altered to the worse. The bulk of these worthy men who opposed the encroachments complained of, are, it is likely, retired to their rest and reward. The evidence hereof is, that for a course of years past we find one assembly after another changing their members, but never changing their tyrannical measures in settling vacant churches. Those who adhere to the ancient principles and practice of the church of Scotland in this matter, are now reduced to such a small and inconsiderable handful, that they are quite run down by their numerous opponents, and have it not in their power to reform these crying abuses, nor to do justice to the oppressed,

while they continue in the communion of the church. Upon these and other considerations, which afterwards may be made manifest, I judge it my duty to give up the place which I hold as a minister of the national church, and at the same time to continue in the full exercise of that ministry which I have received of the Lord Jesus, as God in his providence shall give me opportunity. Therefore wit ye me the said Mr. Thomas Boston to have demitted and laid down, like as I hereby *simpliciter* demit and lay down my pastoral charge of the parish of Oxnam, and deliver over the said parish into the hands of the reverend presbytery of Jedburgh, within whose bounds it lies, craving that the said reverend presbytery may, upon this my demission being lodged in their clerk's hands, and read in their presence, find the said parish vacant, and cause the same be declared in due form, and proceed to the settlement of a gospel minister therein, with all convenient speed, upon all which I take instruments and crave extracts. T. Boston."*

After the above demission, Mr. Boston read another paper which he had prepared to explain and illustrate it. The presbytery, however, after long reasoning, with the exception of the elder from Jedburgh, were unanimously of opinion that he should continue in his charge, and they enjoined him to continue in it at least till their next meeting. Every thing, however, was prepared for his removal, and upon the Friday immediately after giving in his demission to the presbytery, he was admitted to what was called the new church of Jedburgh, by a Mr. Roderick Mackenzie, who had been ordained minister of Lochbroom by the presbytery of Gairloch, so far back as the year 1743, but had been set aside by the General Assembly, in order to make room for a patron's presentee, since which time he had officiated in a dissenting congregation in England, and was now on his way to be settled as a dissenter in the parish of Nigg. The services of the day were preceded by the ringing of bells, and Mr. Boston was received by the session, by the magistrates and town council in all their formalities, and by upwards of two thousand people, all of whom—after he had

* Scots Magazine for 1758, p. 226.

answered the questions usually put on such occasions, which, with one or two slight exceptions, occasioned by peculiarity of circumstances, were the same as put in the church of Scotland—were desired to declare their adherence to the same principles, renouncing episcopacy on the one hand, and sectarianism on the other, which they did by stretching forth their right hands. The whole was concluded with the forms usual on such occasions; and on the Sabbath following, Mr. Mackenzie preached in the forenoon, and Mr. Boston in the afternoon, to an immense multitude that filled the house within, and surrounded it without, all the windows being set wide open to accommodate them. The Rev. Mr. Rogers of Hownam preached in the old church to an audience that did not exceed eighty.

The presbytery of Jedburgh at their next meeting, January the fourth, 1758, found that Mr. Boston had, by his demission, renounced all communion with the established church of Scotland, and they declared the parish of Oxnam vacant from the date of his demission. The assembly that met in May the same year, ordered the settlement of Mr. Douglas, who had been presented by the crown in place of Mr. Bonar, to take place in the parish of Jedburgh against a certain day, and every individual member of presbytery to attend. With regard to Mr. Boston, the assembly found “that he had declared himself to be no minister of this church, and that he will not hold communion with her judicatures, and did therefore, without a vote, declare that he is incapable of receiving or accepting a presentation or call to any parish in this church, without the special allowance of some future general assembly; and the general assembly do hereby prohibit all the ministers of this church from employing him to preach or perform any ministerial office for them, or from being employed by him, unless some future assembly shall see cause to take off this prohibition.”*

Mr. Boston, who was now declared to be no longer a minister of the church of Scotland, immediately attached himself to Mr. Gillespie, with whom it is probable he was intimately acquainted, and with whom he had corresponded while he

was yet minister at Oxnam, and still owning the judicatures of the established church. This was a circumstance highly favourable for Mr. Gillespie. Mr. Boston was the son of Mr. Boston of Ettrick, whose writings, particularly his "Four-fold State of Man," were at this time to be found in almost every family, and were deservedly held in the highest estimation; he was himself also a preacher of the most popular character, moderate in his views of church government and of church communion, and supposed to be purely evangelical. The circumstances of the two were not exactly equal. Mr. Gillespie had been thrust out of the church by a cruel and arbitrary sentence, for disobeying a cruel and arbitrary mandate; Mr. Boston had left it of his own accord. It was said, however, that their circumstances were similar, and their people were highly satisfied with the union that took place between them. They did not, however, proceed to any acts of government, till another violent settlement which took place in the parish of Kilconquhar, in Fife, drove the people to the necessity of erecting a place of worship for themselves, which they did in the village of Colinsburgh, and invited to occupy it, a Mr. Collier, a countryman of their own, who had been for some time settled among the English dissenters at Ravenstonedale, in Northumberland. It was to admit this gentleman to his charge in the above village, on the twenty-second day of October, 1761, that Messrs. Gillespie and Boston, with an elder from each of their congregations, first met in a presbyterial capacity. Mr. Boston preached the admission sermon, after which, they, as a presbytery, "required of Mr. Collier a solemn declaration of his faith in God; in the scriptures as the word of God; his adherence to the constitution of the presbyterian church of Scotland; his acquiescence with the principles of the said constitution, as exhibited in the creeds of the church of Scotland, her confession of faith, form of worship, and her manner of church government according to Reformation principles; all which Mr. Collier declared he believed to be sound and orthodox, and promised to abide by the same in all dutiful subjection to his brethren."

At an afternoon sederunt the same day, after prayer by Mr. Gillespie, "it was unanimously agreed to call themselves the

presbytery of Relief, for the following reasons:—‘Whereas Mr. Thomas Gillespie, minister of the gospel at Carnock, was deposed by the General Assembly, 1752, merely on account that he would not settle Mr. Andrew Richardson, then minister of the gospel at Broughton, as minister of the gospel at Inverkeithing, contrary to the will of the congregation; and thus, in contradiction to scripture, in opposition to the constitution and standing laws of the church of Scotland, which, had Mr. Gillespie done, would have been a manifest violation of the solemn oaths and engagements he came under when admitted minister of Carnock, and therefore a presumptuous sin and highly aggravated transgression of the law of the great God and our Saviour.

“Likewise Mr. Thomas Boston, then minister of the gospel at Oxnam, received a scriptural call from the parish and congregation at Jedburgh, to minister among them in holy things, which call he regularly accepted according to Christ’s appointment, and as the presbytery refused to loose the relation between him and the parish of Oxnam, though required to establish a relation betwixt him and the congregation and parish of Jedburgh, he thought, though they refused to do their duty, he was bound to do his by the divine authority; therefore, peaceably and orderly gave into the presbytery a demission of his charge at Oxnam, and took charge of the congregation of Jedburgh.

“Also Mr. Thomas Collier, late minister of the gospel at Ravenstonedale, being admitted minister this day to the congregation of Collinsburgh, to fulfil among them that ministry he hath received of the Lord.

“These three ministers think themselves indispensably bound by the authority of the Lord Redeemer King and Head of his church, to fulfil every part of the ministry they have received from him, and for that end, in concurrence with ruling elders to constitute a presbytery as scripture directs, for committing that ministry Christ has intrusted them with to faithful men, who shall be able to teach others, and to act for the relief of the oppressed Christian congregations, when called in providence. And herein they act the same part precisely they did when ministers, members of the established church of Scotland.

Therefore the presbytery did, and hereby do form themselves into a presbytery of Relief for the relief of Christians oppressed in their Christian privileges.

“The presbytery, thus constituted, chose the Rev. Mr. Boston for their moderator; and the presbytery appointed Thursday the seventh of December next, to be observed in the congregations under their inspection, as a day of solemn thanksgiving unto God for his goodness in the late harvest. The presbytery also agreed that their next meeting should be when Providence calls. The sederunt closed with prayer.” *

The above, stated to be quoted *verbatim* from the minutes of presbytery, with the exception of a few lines from a synodical minute, contains the only statement of the principles of the body that we have seen of an authenticated character, and, for a public document, is more brief than perspicuous. It does not indeed appear that the founders of this denomination of professing Christians were altogether agreed in, really understood, or could fully point out their object. It might be supposed from the above, that having been thrust, or come voluntarily, out of the established church which had shut the door of communion upon them, they would, at least till she had shown symptoms of a better feeling, have declined communion with her; but their whole practice demonstrated that this was by no means any part of their intentions—judging by this criterion, it seems to have been their object to make their meeting houses merely chapels to parish churches, with the hope, that in this way they might be received and acknowledged by the church even in their judicative capacities; for we find that Mr. Alexander Simson, before being settled by the relief presbytery at Bellshill in the parish of Bothwell, wrote to the presbytery of Paisley, by which it appears he had been licensed—stating his having resolved to accept of a call from the parish of Bothwell, the inhabitants of which could not be reconciled to the minister lately settled among them upon the patron’s presentation, but were resolved to have one upon their own charges from the presbytery of relief—craving an extract of his license and a certificate of his

* History and Principles of the first Constituted Presbytery of Relief.

moral character. The presbytery, so far from complying with his request, drew up a libel against him, accusing him of schismatical and disorderly practices, "in having received ordination from Mr. Thomas Gillespie, late minister of Carnock, now under a sentence of deposition, and others, calling themselves the presbytery of relief; in having entered upon and continuing in the ministry in the parish of Bothwell without consent of the incumbent; in having, in the High Church of Paisley, Mr. Bain's, taken it upon him to administer the sacrament of baptism, and in the College Church of Glasgow, Dr. Gillies', the sacrament of the supper." Mr. Simson, before the presbytery, on the eighteenth of January, 1764, frankly acknowledged the facts charged, but alleged "that neither he nor the presbytery of Relief taught any separating principles, and that he was affording a temporary relief to a part of the parish of Bothwell, who were desirous to remain upon the establishment, which he had done nothing to prevent." He appeared again before the presbytery in the month of March, but instead of coming to a decision, the presbytery agreed that it should be referred to the synod, with an opinion adjected, that the judgment of the general assembly should be had in the affair. Accordingly it came before the assembly in the month of May, and on the fifth of June, 1764, the "commission having considered the libel exhibited against Mr. Alexander Simson by the presbytery of Paisley, and his acknowledgment of the facts herein charged against him, viz. his having received ordination from Mr. Thomas Gillespie and others, who take to themselves the name of the presbytery of Relief, and his exercising the office of the ministry within the parish of Bothwell, and dispensing sealing ordinances in other places upon the said ordination, find his conduct such as to be a sufficient ground of declaring, and accordingly the commission did, and hereby do declare the said Mr. Alexander Simson incapable of receiving a presentation or call, as a licentiate of this church, to any of the parishes within the same."*

* Unprinted Acts of the General Assembly, 1764. Scots Magazine for 1764, &c. &c.

The same view of the subject is forced upon our attention by Mr. Bain of the High Church of Paisley, who having accepted of a call to a Relief meeting-house, built in Nicholson's Park, Edinburgh, gave in the following letter of demission to the presbytery of Paisley on the tenth of February, 1766, only two days before his admission to Edinburgh:—"Rev. dear sir, It would have given me great pleasure to have met with my brethren of the presbytery of Paisley, as it would have given me an opportunity of acquainting them with what I now inform you of as their moderator, to be laid before them; viz. That I entirely give up my charge in the High Church in this town, and the care of the flock belonging to it, into the presbytery's hand. They know not how far I am advanced in life, who see not that a house for worship so very large as the High Church, and commonly so crowded too, must be very unequal to my strength; and this burden was made more heavy to me by denying me a session to assist me in the common concerns of the parish, which I certainly had a title to; nor am I singular in thinking so, as I have the opinion of the first judge of the kingdom that it was peevish to refuse it. But the load became quite intolerable, when by a late unhappy process, the just and natural right of the common session was wrested from us, which drove away from sitting in it twelve men of excellent character, so that I had not one elder for five hundred of examinable persons in my proportion. Nor does it alleviate the burden that this right of the session was so tamely given up—some perhaps will say betrayed—by those who ought to have defended it, for in any society where candour is thought to be gone, confidence must die. I would earnestly beg of my very reverend brethren to think that this change of my condition, and the charge I have now accepted, makes no change in my former creed and christian belief, none in my principles of christian and ministerial communion, nay, none in my cordial regard to the constitution and interest of the church of Scotland, which I solemnly engaged to support some more than thirty years ago, and hope to do so while I live. At the same time I abhor persecution in every form, and that abuse of church power of late, which to me appears inconsistent with humanity, with the civil interests of the nation, and

destructive of the ends of our office as ministers of Christ. I would only add, and assure my brethren, that I go away with a grateful sense of their civilities to me while among them. As a small recompense, it is my heart's desire to God that they and their flocks may prosper, and they may be directed to promote a speedy and comfortable settlement of a pastor over that very numerous and affectionate people, who are now my charge no more. With esteem, I am, &c. James Bain." This letter was laid before the assembly in the month of May following; and Mr. Bain heard upon it, when, after a long debate, his case, by a great majority, came to the following issue, *viz.*—"The General Assembly find and declare, that the said Mr. James Bain is no minister of this church, and that he is incapable of receiving or accepting of a presentation or call to any parish in this church, without the special allowance of some future General Assembly. And the General Assembly do hereby prohibit all the members of this church from employing him to preach or perform any ministerial offices for them, or from being employed by him, unless some future General Assembly shall see cause to take off this prohibition." The latter part of this sentence a number of the members of assembly laboured to evade—mixed or free communion being at this time in high favour with some of the most respectable ministers in the establishment, such as Dr. Gillies of Glasgow, who, as we have seen, in the case of Mr. Simson, had already carried it into effect with regard to the new party, Dr. Erskine of Edinburgh, &c. &c.; but if there was not principle in the church strong enough to point out, in the present instance, its absurdity, there was policy sufficient to discover its danger; and it has since that period been, by repeated acts of assembly, declared to be unwarrantable in the church of Scotland.*

Notwithstanding of this obstinacy on the part of the church, their plan of communion does not seem to have been abandoned by the leaders of the relief. It was every where practised among the people, and was evidently one cause of the great popularity of the scheme, which was such, that before ten years had elapsed, the presbytery, consisting originally of three

* Acts of Assembly, 1797.—Sir Henry Moncrieff's Life of Erskine, &c. &c.

ministers, was divided into the presbyteries of Glasgow and Edinburgh, each of them having a number of congregations under their inspection; and in the year 1773, on the last Wednesday of May, they assembled at Edinburgh, for the first time, in a synodical capacity. By a previous appointment, made at a consultative meeting of the two presbyteries, Mr. Bain of Edinburgh opened the meeting, and it was composed of the following ministers, viz. Messrs. Thomas Scott, Joseph Niel, Alexander Simson, Michael Boston, son to Mr. Boston of Jedburgh, who was by this time dead, James Bonar, John Graham, James Pinkerton, Thomas Bell, and Robert Paterson; Mr. Patrick Hutcheson, who, as a probationer, was at this time assistant to Mr. Bain, also attended as a ruling elder. Messrs. Gillespie, Cruden, and Cowan, who had succeeded to Colinsburgh, it would appear, were not members of this synod; but some dispute having arisen among them, the latter gentleman was commissioned by the two former to give in an overture desiring to know the mind of the synod with "respect to ministerial and Christian communion with episcopalians and independants, and also those who are unsound in the essentials of the Christian faith;" upon which the synod gave the following judgment:—"That with respect to the last of those, their principles did not allow them to hold communion with such; but with respect to the other, viz. ministerial or Christian communion occasionally with those of the Episcopal and independent persuasion, the meeting being of different opinions, put a vote, 'Hold communion with those of the episcopal or independent persuasions occasionally, upon supposition always that they are by profession visible saints, or not?' And the roll being called, and votes marked, it carried, Hold communion; and therefore the meeting find it agreeable to the principles of the [synod] of relief, to hold communion occasionally with such."* This decision, against which a protest was entered, in the name of Messrs. Gillespie, Cruden, and Cowan, added to other causes of offence, made a breach in the body which was never made up.

Mr. Gillespie was by this time in bad health, and died in the

* History and Principles of the First Presbytery of Relief, p. 20.

following winter, leaving it in charge to his congregation to return into the bosom of the church by having their meeting-house declared a chapel of ease. This they did immediately upon his death; but a strong opposition being made to them by Messrs. Thomson and Fernie, the ministers of Dunfermline, a number of years elapsed before they could accomplish their purpose. While, however, the matter was litigated from year to year, and from assembly to assembly, part of the congregation reared another house, and called a Mr. James Smith, afterwards author of *Historical Sketches of the Relief Church*, who was settled among them in connexion with that synod. After some time, he too applied to the Church of Scotland, to be taken into communion upon the Chapel of Ease system, and was received. Mr. Cruden, who had given up his charge at Logie-Pert, and accepted of a call to the free presbyterian chapel, Glasgow, at the same time dropped all connexion with the synod of Relief, accepted a call to a presbyterian congregation in London, and after celebrating the sacrament with his congregation, in the month of March, 1774, bade them farewell, recommending them earnestly to apply to the establishment, which they did, and were received, their house being turned into a Chapel of Ease. Mr. Cowan was thus almost deserted, yet he still held out against the synod, and was occasionally assisted by Mr. Brodie of Aberdeen till the year 1791, when Mr. Brodie joined the synod. In the following year, 1792, the synod dropped the offensive article relative to ministerial and Christian communion, from their creed, and we do not know that there is now any remain of that schism in the body.

Though the synod of Relief have not been without trials, both of an external and internal kind, their influence has been widely extended, and their interest greatly strengthened. Instead of a presbytery composed of three members, their synod now (1828) consists of seven presbyteries, having under their inspection eighty-four congregations, and, with some evil, we believe they have been the authors of much good. They have carried the gospel, and excited attention to it, into places where it was in great danger of being overlooked, if not totally forgotten; and though, while they depended for

teachers upon such as either were rejected or voluntarily fell off from the other professing bodies around them, considerable discordancies, not to say discrepancies of view, were naturally unavoidable; now that they have a regular theological seminary under their own inspection, these discordancies, in the nature of things may reasonably be expected to disappear. They have had, like all other public bodies, advocates possessing more zeal than knowledge, and to whom for their defences they owe but little, yet they may justly boast of having possessed, in the late Mr. Bell of Glasgow, a philosopher and a divine of the first order, one of the ablest advocates for the Reformation principles of the church of Scotland that has appeared in modern times; and in the late Mr. Struthers of Edinburgh one of the most powerful and polished orators that at any time has adorned his country.

The rapid progress of the Relief, which the disunion of the secession had greatly promoted, did not, however, prevent that body from increasing also. Even the old dissenters, amidst the reeling of the times, were gradually multiplied, and began to occupy a more prominent place in the public eye. In 1763, they emitted an act, declaration, and testimony, &c. to which accessions became so numerous, that in 1811, they formed themselves into three presbyteries, composing one synod, and have now under their inspection twenty-nine congregations. In 1820, the two great bodies into which the secession had been divided, having made alterations in their standard books, which necessarily left no room for the burgess oath—the original cause of their separation—after mutual communications, were, on the eighth day of May, formally re-united. Our limits, we deeply regret, will not admit any detail of the events which led to this most important event. Suffice it for the present to say, that on the above day, having met and constituted, the anti-burghers, in their synod-house, Nicholson Street, the burgher in Mr Lothian's meeting-house, Portsburgh, in this state adjourned at half past twelve o'clock, to Bristo Street meeting-house, the scene, in 1747, of that very disorderly separation which we have already narrated. Each walked in regular order to the place of meeting, first the ministers, then the elders, probationers for the ministry, and students of divinity. A part

of the house had been railed in for the purpose, where, in alternate pews, the two synods were completely intermixed, the two moderators in front of the pulpit, and the two clerks at a little distance on the right and left. The senior moderator, Dr. John Jamieson, Edinburgh, gave out a psalm, which was sung by both synods, joined by the vast attendant multitude. He then called upon the clerk of the synod which he represented, the antiburgher, to read their last minute. The junior moderator, the Rev. Mr. Balmer of Berwick, then called upon the clerk of the synod represented by him, the burgher, to read their last minute, which was done, both being to the same effect, viz. that they had accepted the basis of union, and had agreed to unite with their brethren, under the name of The United Associate Synod of the Secession Church, &c. &c. The articles which form the basis were then read, all the members standing, after which the moderators severally declared the synods to be one, and gave each other the right hand of fellowship, in which they were followed by the ministers and elders of both synods. The senior minister in the house, the Rev. David Greig of Lochgelly, then took the chair, gave out a psalm, and constituted the court by prayer. The sederunt was spent in devotional exercises, after which the roll of the united synod was called over, containing, of ministers alone, nearly three hundred names, and the court adjourned. A considerable number on both sides who had dissented from the new statement of principles which led to this union, took no part in it; they are now attempting, and most probably will accomplish, an union upon the original secession principles.

This singular increase of seceders of all kinds was unquestionably, in a great measure, owing to the conduct of the General Assemblies of the church of Scotland, which was such as to drive whole parishes into one or other of these bodies every year. By repeated acts of that court, it was specially provided, that no person should be allowed to be put upon the leet for a parish but the patron's presentee, though the solemn mockery of moderating calls was still regularly kept up; and presbyteries were compelled to ordain presentees to the holy ministry and the charge of souls, though they had again and again, after regular trial, pronounced them destitute of those

acquirements necessary for the due discharge of the duties belonging to such a situation. This was particularly the case with regard to Laurence Wells, presented to the parish of Shotts by his grace the duke of Hamilton, whose trial discourses, after having been absolutely rejected by the presbytery of Hamilton, and after years of litigation, were received by the commission of the General Assembly, highly approved of, and in 1767, the presbytery of Hamilton were ordered by the Assembly to meet and settle Mr. Wells by a certain day, returning to the Assembly to report their diligence in the affair. Mr. Park, minister of the parish of Old Monkland, who was appointed to serve the edict, reported, on Monday the 23d of May, 1768, that he had the day before been at the Kirk of Shotts, and that he affixed a copy of the edict to the church door; that he went into the church to read it, but found no congregation, and thought it unnecessary to read it there, as he had read it without doors to several, both elders and people. The Assembly sustained this as sufficient, and ordered him to lay the same before the presbytery of Hamilton, at the Kirk of Shotts, on the following Wednesday. Next day, Tuesday, the Assembly had a letter from Mr. M'Culloch, Cambuslang, whose part it was to preside at Mr. Wells' ordination, stating that he was confined to his room, and of course incapable of performing the service assigned him. The letter was attested by a physician, which left no room for debate; but his grace of Hamilton, and his expectant, Mr. Wells, were not to be any longer disappointed, and the presbytery were ordered to appoint for the service of the day one of their own members upon the spot. On Wednesday, Mr. Wells was early at the Kirk of Shotts, where the people, finding him alone and unprotected, flew upon him, and carrying him off, compelled him, in terror for his life, to sign a paper, promising never again to trouble them. The presbytery in the meantime assembled, but the mob was by this time in such force, that they found it impossible to constitute a presbytery. The church and church-yard they found locked, and could not command the keys for either of them; and, after going through some trifling formalities, were happy to escape without having suffered bodily harm. Mr. Risk of Dalserf, the presbytery clerk, gave in a written

report of the whole matter to the Assembly next day; such of the members of presbytery as had not been present put the best face upon their conduct it would bear, and their neglect was overlooked. The assembly at the same time renewed the appointment on Thursday next, enjoined all the members to attend; "and the lord advocate being applied to by the Assembly, was pleased to undertake that they should have the aid of the civil power to protect them in the execution of this appointment." Accordingly, on Thursday the ninth of June, 1768, the sheriff, with a justice of the peace, a troop of dragoons, and a company of foot soldiers, was early at the Kirk of Shotts, to make sure of repressing any thing like disturbance; but the enraged parishioners waylaying the members of presbytery, carried them off, and the sheriff, after having exhausted his own, as well as the patience of his attendants, had the mortification of marching home, having neither met with the mob, nor with the presbytery, which, in the session-house of Hamilton, their ordinary place of meeting, ordained Mr. Wells to the pastoral charge of the parish of Shotts, on the sixteenth day of August following.*

For these outrageous proceedings several persons were apprehended, tried before the justiciary, some of them fined, and one heroine sentenced to walk through the town of Glasgow with her hands tied behind her back, and followed by the hangman, beside being sent to the house of correction, all which was to her, no doubt, humiliating enough; but it could give no dignity to Mr. Wells, and only led people in general to talk about the times of the curates, and the tyranny of the bishops, which, it must be confessed, such proceedings very nearly resembled.†

* Acts of the General Assembly, 1768.—Scots Magazine for 1768.

† The following letter from a bishop, upon this very subject, ought to make many of the leaders of the Scottish church deeply ashamed. It was directed to the heritors of the parish of Straiton:—

"Worthy Gentlemen and Friends,—Being informed it is my duty to present a person fit for the charge of the ministry now vacant with you, I have thought of one whose integrity and piety I am so fully persuaded of, that I dare confidently recommend him to you as one who, if the hand of God do bind that work upon him amongst you, is likely, through the blessing of the same hand, to be very serviceable to the building up

Bad as the above was, it was not a solitary instance of misrule. At the very time the contest was carrying on with Mr. Wells, Lord Eglinton presented to the parish of Eaglesham a Mr. Thomas Clark, who was just as obnoxious to the people of Eaglesham as Mr. Wells was to the people of the Shotts; but there was this difference in the case, the duke of Hamilton, though patron, was by no means proprietor of the parish of Shotts, whereas lord Eglinton was proprietor of thirty-nine fortieth parts of the parish of Eaglesham. Of course, the presentation itself was considered as nearly an unanimous call in the assembly-house, even with many who regarded themselves as highly friendly to popular rights, and the settlement of Mr. Clark was ordered forthwith. The people of Eaglesham, however, either were incapable of comprehending this ecclesiastical logic, or they did not relish it, for when, after various delays, principal Leechman, on the thirteenth of April, 1767, attended by a number of clergymen from the neighbouring presbyteries, with country gentlemen, &c., to the number of seventy persons, approached the village, for the purpose of making the settlement, he found the parish assembled, not to receive and cordially to welcome their new pastor, but armed with clubs, staves, and stones, threatening death to the whole party. Mr. Clark's edict had somehow been served ten days previous to this, and when one of the clergymen called for its return, and, in the usual form, required if there were any objections to the life or doctrine of Mr. Clark, he was answered by a shout of execration from the whole assembled multitude. Principal Leechman, confident in the number and respectability of his attendants, pressed forwards to reach the church, when a shower of stones, and a charge of clubs, made the whole make for their carriages, in which they drove off with all possible speed, and

of your souls heavenwards; but is as far from suffering himself to be obtruded, as I am from obtruding any upon you; so that, unless you invite him to preach, and, after your hearing, declare your consent and desire towards his embracing of the call, you may be secure from the trouble of hearing any more concerning him, either from himself or me; and if you please to let me know your minds, your reasonable satisfaction shall be, to the utmost of my power, endeavoured by your affectionate friend and servant, R. LIGHTON. Edinburgh, Sept. 22, 1662."—*Scots Magazine*, vol. xviii. p. 195.

were pursued by the triumphant mob till they passed the limits of the parish. The patron's agent appeared at the next meeting of presbytery, and demanded Mr. Clark's settlement; the presbytery demurred, and the case came again before the General Assembly, which ordered Mr. Clark to be settled immediately, according to the rules of the church, and, by the aid of a military force, this was at length accomplished.*

Such settlements, of which the above are only specimens, taking place in the church of Scotland, are sufficiently melancholy, and fully demonstrative of the antichristian nature, and the pernicious effects of patronage, but the history of the times of which we now write affords instances, of another kind indeed, but still more deplorable; we shall only mention that of St. Ninians. A presentation by Sir J. Stuart of Allanbank, for Mr. David Thomson, minister of Gargunnoch, to be minister of St. Ninians, was sustained by the General Assembly in 1767, and the presbytery of Stirling ordered to proceed with his settlement, according to the rules of the church. Mr. Thomson was an old man, very infirm, and the whole parish of St. Ninians, not excepting heritors and elders, were violently opposed to him; some episcopalians and a few non-residing heritors, under the influence of the patron, being all that could be prevailed upon to concur in his call. The presbytery felt it to be a hard case, and they found means to put it off for seven long years, in the course of which various schemes were proposed for reconciling the parish, all of which, through the imbecility, the duplicity, and the obstinacy of the patron and his presentee, came to nothing, and, in the year 1773, the presbytery were enjoined by the General Assembly, on a certain day, to induct Mr. Thomson into the living of St. Ninians without fail, and every member of presbytery to attend, or to answer for his absence at the bar of the next General Assembly. The presbytery of Stirling were now in a very great dilemma. There was really no call by the parish for Mr. Thomson, and in the negotiations that had been carried on during so many years, for reconciling the parish to

* Scots Magazine for 1767.—Tradition yet current in Eaglesham, &c. &c.

his ministry, he had, by his selfish conduct, very much disgusted all the brethren of the presbytery, and not one of them was willing to preach and preside on the occasion. In this situation of the presbytery, Mr. Robert Findlay of Dollar, their moderator, undertook to introduce him at the presbytery table, which seems to have been heartily agreed to, every one being desirous of having the burden shifted from his own shoulders. Accordingly, when the presbytery arrived at St. Ninians, where an immense crowd waited to receive them, they attempted to take possession of the manse, but found it shut against them, and they were, along with the multitude, almost carried perforce into the church. Mr. Findlay, probably happy to find the multitude in a condition to listen, ascended the pulpit, and gave out a psalm, which was sung with all due decorum, after which he prayed, but in his prayer took no notice whatever of the purpose for which they were assembled. He then, instead of preaching as was expected, and as was usual on such occasions, called upon Mr. Thomson by name, who stood up in his place, and to whom he made the following singular address:—

“Sir, We are met here this day by a former appointment of presbytery in obedience to the same sentence of the General Assembly to admit you minister of St. Ninians, a sentence pronounced by the highest horn of ecclesiastical authority or power, that assembly having assumed to themselves higher power than the parliament—by some profanely styled omnipotent—that wise, that august body, never enacting any laws without consent of the people. There has been a formidable opposition made against you by six hundred heads of families, sixty heritors, and all the elders of the parish, I believe, except one. This opposition has continued for seven years by your own obstinacy, and if you should this day be admitted you can have no pastoral relation to the souls of this parish, you will never be regarded as the shepherd to go before the sheep, they know you not, and they will never follow you, and, let me assure you, dear Sir, if you still persist in your obstinacy, you will do more harm in this parish than you could have done good in Gargunnock though you had been to live there for a hundred years—and you will draw misery and contempt upon yourself

—you will be despised—you will be hated—you will be insulted and maltreated. One of the most eloquent and learned ministers of this church told me lately that he would go twenty miles to see you deposed, and I do assure you, Sir, that I and twenty thousand more friends to our church would do the same. I must observe to you, that in the course of this opposition, your conduct and behaviour has been altogether unworthy and unbecoming a minister of the gospel. In that memorable letter of yours to the presbytery of Stirling intimating your acceptance of the call notwithstanding the numerous body of the people opposing—I wish it was in my power to forget it—you have those impious and blasphemous expressions, ‘That you accepted of it in the fear of God;’ and at a meeting of the presbytery when you was exhorted and earnestly entreated to give up the presentation, you said that you had engaged your honour to that honourable and worthy gentleman the patron, and that you would not give it up for ten thousand pounds. What can one of your sensibility of temper and feeling propose in this mad attempt in thus rushing to foreseen misery? You was always esteemed an orthodox and evangelical preacher, and no man can lay any thing to your charge as to that. You maintained a good character and reputation till your unhappy and obstinate adherence to this presentation. Now bending under the weight of years and infirmities of old age, what happiness can you propose to yourself in this mad, this desperate, attempt of yours without the concurrence of the people, and without the least prospect of usefulness in this parish. Your admission into it can therefore only be regarded as a sinecure, and you yourself as stipend-lifter of St. Ninians. for you can have no farther relation to this parish—* * *

Now, Sir, I conjure you by the mercies of God, give up this presentation; I conjure you for the sake of the great number of souls of St. Ninians, who are like sheep going astray without a shepherd to lead them, and who will never hear you, will never submit to you, give it up; and I conjure you by that peace of mind which you would wish in a dying hour, and that awful and impartial account which in a little you must give to God of your own soul, and of the souls of this parish at the

tribunal of our Lord Jesus Christ, give it up.”* This, all the circumstances of the case considered, is unquestionably one of the most extraordinary speeches that has ever been uttered, though it certainly had truth for its basis, and against some of its appeals one would suppose that no conscience illuminated by a single ray of the Bible could have been proof, and Mr. Findlay most probably was secretly presuming that, having performed the painful duty of reproof and admonition so very freely, he would be saved the still more painful one, of admitting the object thereof under the name of pastor to be “stipend-lifter” of St. Ninians. If so, with what astonishment must he have listened to the laconic reply of the orthodox and evangelical Mr. Thomson, “I forgive you, Sir, for what you have now said, may God forgive you, proceed to obey the orders of your superiors.” Mr. Findlay, feeling, no doubt, that to put the questions in the formula to such a candidate would be only adding to the farce, and though he was requested to do so by some of the members, proceeded to say, “I, as moderator of the presbytery of Stirling, admit you, Mr. David Thomson, to be minister of the parish of St. Ninians, in the true sense and spirit of the late sentence of the General Assembly, and you are hereby admitted accordingly.” He then prayed, but in doing so neither noticed patron, presentee, nor presbytery, and, after singing a few lines of a psalm, dismissed the congregation.†

Messrs. Randal, Duncan, and Nimmo, did not attend, and a heavy complaint was sent up to next assembly against Mr. Findlay for the strange manner in which he had obeyed the appointment of the former assembly. Messrs. Randal and Duncan were rebuked for their non-attendance. Mr. Nimmo was excused on account of sickness. A committee was appointed to inquire into the conduct of Mr. Findlay, to which he gave in an apology, and, by the General Assembly, 1775, was sharply rebuked.

These inroads upon the rights of the people were also, as might naturally have been expected, accompanied with gross corruption in doctrine, and a lamentable relaxation of discipline.

* Scots Magazine, vol. xxxv. pp. 614, 615.

† Ibid.

Highly aggravated cases of scandal in ministers of the church were frequently brought before general assemblies, which, in too many instances, manifested a disposition to protect the delinquents, and in the case of Mr. William Nisbet, minister of Firth and Stenness, accused of living in open adultery with another man's wife, before the chicanery of his friends in the presbytery of Cairnston could be overcome, and the forms of procedure in the ecclesiastical courts adjusted, the offender was tried before the circuit court at Inverness, found guilty, and sentenced to be transported to the plantations.* Error in doctrine had been early exhibited in the Scottish church, and, in the cases of Professors Simson, Campbell, and Leechman, had been dealt with in a way that was but little calculated to check its progress. The same errors, with others in their train, continued, of course, to be propagated with increased ardour, while the opposition managed against them was evidently more feeble and ineffective. The limits prescribed to this history do not admit a detail of the processes carried on during this period, against Mr. Ferguson of Kilwinning, who was charged with having denied the doctrine of original sin, the satisfaction of Christ, &c. &c. and with having openly ridiculed Confessions of Faith—against Dr. Meek of Cambuslang for similar heresies—or Dr. Macgill

* Adultery, by the law of Scotland, was long a capital crime. Even so late as 1694, we find, from the criminal records, that, at the instance of the crown, Mr. Daniel Nicholson and Mrs. Marion Maxwell, widow of Mr. David Pringle, surgeon, were indicted for adultery and criminal cohabitation. Upon the verdict of an assize, finding the libel proven, the lords adjudged Daniel Nicholson to be hanged, and Mrs. Marion Maxwell, or Pringle, to be beheaded. By this time, however, the law had abated much, at least, in the rigour of execution, which, by some of the more stern Scottish moralists, was considered as a great evil that had accrued to the country, from its connexion with England; but adultery was still occasionally prosecuted before the justiciary court. In the person of Mr. Nisbet it was so, and the case is thus reported in the *Scots Magazine* for May, 1766:—"Mr. William Nisbet, minister of the united parishes of Firth and Stenness, in the stewartry of Orkney, indicted for adultery with a married woman, both before and after his own marriage, was, by an unanimous verdict, found guilty. He was sentenced to imprisonment for two months, and to be fed upon bread and water only, and thereafter to be transported to the plantations and banished for life."—*Scots Magazine*, vol. xxviii. p. 290.

of Ayr, who, in a book entitled, a *Practical Essay on the Death of Christ*, had avowedly taught the whole system of Socinus, all of which terminated in a manner most humiliating to the friends of truth. So bold, indeed, were the patrons of error, which they disguised under the name of liberal feeling, become, as to talk of being freed from the necessity of subscribing the Confession of Faith before admission to office in the church; and in 1789, the presbytery of Aberbrothock took it upon them to settle Mr. George Gleig as minister in that ancient burgh, without requiring him to sign either the Confession of Faith or Formula. The settlement was in other respects highly irregular; but Mr. Gleig possessing the *sine qua non* for a minister in the established church of Scotland, a legal presentation, it was sustained, though the presbytery were admonished to be more careful for the future. Dr. Small of Dundee, in 1798, repeated the experiment, by ordaining a number of elders without putting to them the usual questions. The complexion of the times, however, had in the interim undergone a complete change. Affected liberality had now given place to ostentatious and time-serving loyalty, and the assembly, 1799, upon a reference and representation from the presbytery of Dundee on the subject, found, "that all the elders of that church are required, by the laws of the church to subscribe the Confession of Faith approved of by the general assembly of this church, ratified by acts of parliament," &c. &c. and that every person, when ordained an elder, who refuses, when judicially called, to subscribe the Confession of Faith, in presence of the people, is disqualified by that refusal from taking any part in the government of this church," &c. and having called Dr. Small before them, and heard his reasons for conduct so unprecedented, they declared, "that he had discovered an ignorance of those laws of the church, by which all elders received into communion with us in church government are obliged to subscribe their approbation of the Confession of Faith, had disparaged in the opinion of those with whom by his station he is most nearly connected, the practice which appears universally in this church, of requiring elders at the time of their ordination to declare explicitly, either by word or by the subscription of the above mentioned formula, their assent to all that is therein contained

—and had done what had a tendency to deprive the church of Scotland of that security for the stability of her doctrine, worship, discipline, and government, which, under God, she enjoys, from the avowed conformity of all her office-bearers to her standards;” and they “enjoin Dr. Small to be careful hereafter to testify by his whole conduct that respect for the standards of this church, and for the fences wisely provided by our ecclesiastical constitution against dangerous innovations,” &c.*

This prompt and decisive procedure on the part of the General Assembly had the most salutary effect upon the interests of the established church; there has not been heard a whisper against subscription in any of her judicatures since, and every true presbyterian must have rejoiced to remark a great and a very general improvement in the character of her ministers, as well as in several parts of her administration. Almost whole presbyteries could be named, composed at or a little before that time, of miserable intruders, who, with the paltry emoluments of office, inherited nothing but the contempt and hatred of their people, now composed of men alike respectable for their talents, their orthodoxy, and their piety, and who, instead of reading to their own families, the bellman, an elder or two, with the parish paupers, and, on some rare occasions, the knight and his lady, paltry excerpts from college exercises or professional prelections, deliver to crowded audiences, from Sabbath to Sabbath, the whole counsel of God. Even in her general assemblies there has of late years appeared an opposition more firm, more dignified, and more consistent than almost at any former period. At the same time, we cannot conceal from ourselves, nor will we attempt to conceal it from our readers, that much of this has arisen from temporary causes, and if the iron yoke of patronage is not broken, the effects will be as temporary as the causes which gave them birth. So long as this detestable usurpation is persisted in, it will prove to the Scottish church like the decrees of Jeroboam the son of Nebat—the calves of Dan and Bethel—whence an unfailing stream of corruption and bitterness overflowed every adminis-

* Acts of the General Assembly, 1789, 1790, 1799, 1800.

tration of the kingdom of Israel, till the institutes of religion, with the morals of the people, were totally subverted, and ruin closed the scene.

Alarmed by the shock of the French revolution, which shook so many establishments from their foundations, and by the innovations that about this time were made upon her standard books by both sides of the secession, the church of Scotland, except in the case of chapels of ease, a scheme utterly subversive of presbyterianism, by which some of her more popular ministers have of late attempted to stem the tide of disaffection, has paused in making farther inroads upon her constitution, and not a few, from an unreasonable fear of change, have clung to her with increasing fondness, and with more awful veneration; but it surely cannot escape the notice of her leaders, nay, of the meanest of her adherents, that every year is adding to the number of her opponents. It cannot surely have escaped their notice, for they have been for the most part ministers of the establishment who have promoted it, that an opinion has long been gaining ground in the country, that all establishments of religion in a national form are unwarrantable, and necessarily tend to its ruin! Do they not know, that besides many small societies of Baptists, Glassites, &c. there is in Scotland a Congregational Union having this for one of its distinguishing features, consisting of seventy-eight congregations, some of them large, and served by ministers of the highest respectability? Have they no sympathy for twenty-nine congregations of Old Dissenters, formed from among the most pious, and by far the most intelligent of our peasantry, inspected by ministers, some of them most learned, and all of them of the most pious and patriarchal character? None for thirty-one congregations of Original Seceders, and forty-four of Original Burghers, with their ministers, all of them highly respectable, some of them of the very first reputation for talents and learning, who have had many years of painful contention, and have suffered in no small degree from their brethren for their pointed adherence to the true principles of the presbyterian church of Scotland? None for eighty-seven congregations belonging to the Relief, whose ministers have for the most part been educated wholly in the seminaries of the church,

and all of whom would most willingly embrace her communion? Do they feel no misgivings of heart when they look at upwards of three hundred congregations* belonging to the United Secession church, all of whose ministers have had an education equally regular with those of the establishment, and who either have adopted, or are adopting, views that in the end will most probably unite all seceding presbyterians in Scotland? Do they not see in all our cities each of these bodies, by erecting commodious and splendid places of worship, forming large accumulations of property, upon which an interest is rapidly rising that must soon be more powerful than their own? Do they ever look to the orderly, the easy, and friendly manner in which, generally speaking, all the affairs of these bodies are conducted by the sole suffrage of the people, under the direction of their office-bearers, and will they still abide by the odious misrepresentations of ignorance and envy, and cry out for a patron to preserve order, and ensure the exercise of decorum? In the whole extent of the history of these bodies, so far as we have been able to trace it, there has not been one single instance of military interference; and a statement of their elections, which have been held up as so disorderly, would show, that of every twenty elections that have taken place among them, nineteen have been perfectly unanimous, and, with very few exceptions, the minority in the twentieth trifling. The Secession, indeed, though it had accomplished nothing more than the disproving the assertion of that cowardly tyrant and presumptuous pedant James VI., which has often since issued from mouths and pens from which better things might have been expected, that presbytery was utterly incompatible with monarchy, ought to be considered as an event highly felicitous.

* Of the number of hearers belonging to the congregations of these different bodies we cannot speak with certainty. We have been favoured with a conjectural statement of the numbers of those belonging to the Relief, by Dr. James Thomson of Paisley, which we presume has been founded on a close examination of the subject. Nearly a third of their congregations, he supposes, will average twelve hundred worshippers every Sabbath-day, the remaining two-thirds five hundred. A few congregations belonging to the Secession will average as high as the Relief, but, generally speaking, they are smaller. If we take five hundred for each, perhaps we shall not be far from the truth.

Almost a century has elapsed since it took place, and during all that time, the numerous body which it separated from the church have been in the full and free exercise of their privileges as presbyterians. Government has never interfered with them. No royal commissioner has sat in their courts, and no want of one has ever been felt. They have met at their own conveniency, and parted when their business was done, taking no share in politics, farther than on every trying occasion to show themselves dutiful and loyal subjects. To restore them to that honourable standing in her communion which they have never done any thing to forfeit, while it would be no more than an act of justice to them, is a duty which the church of Scotland owes to herself and to the government under whose protection she has sat for such a length of time, and a duty which, we apprehend, in the nature of things, must precede any thing on her part like efficient or permanent reformation.

HAVING brought forward the history of Scotland to that period when we imagine it naturally closes, and given such a view of her present ecclesiastical situation as our limits would permit, it only remains that we take a short survey of her domestic economy, her progress in commerce, in literature, and the arts, particularly as these have been affected by the events we have been attempting to narrate.

It has been our fortune to read and to hear much about Scottish liberty, but, till the period at which her history as a nation naturally closes, she had never known any thing but the name; and had not the sister country, for her own safety, found it necessary to force some portion of it upon her, she had to this day, in all human probability, remained ignorant of that first of earthly blessings. With the principles of freedom in their abstract form she had been conversant at a very early period. They had been taught in her universities, eagerly embraced and warmly cherished by her Reformers, especially by Knox and Buchanan, and they were in their general rudiments inwoven into the constitution of her church; but, from the perversity of her civil institutions, the inveteracy of her habits, with the consequent poverty and destitution of her people, during the lapse of nearly two centuries, their influence had been, except for that restless impatience at all times manifested under the galling impositions of episcopacy, almost imperceptible. Her chieftains, ignorant and assuming, haughty and truculent—except when roused by hunger and revenge, they issued forth, each a little Apollyon, at the head of his half-starved half-armed menials, to slay the dependants and carry off the cattle belonging to a weak or unsuspecting neighbour—slumbered in their castellated mansions, whose grated windows, moated walls, and iron ribbed doors, indicated but too surely the dreams incident to their possessors. The body of the people, listless and dispirited, miserably lodged, miserably clothed, and more miserably fed, dragged out a weary existence entirely at the mercy of their superiors, whose they were, for whom alone they laboured, for whom they behaved, whenever they were called upon, to bleed, and for whom they were taught it was their highest honour at any time to die.

In cities and in burghs, which, as a counterpart to the power of the chieftains, were highly encouraged and had many marks of the royal favour bestowed upon them, matters were somewhat different. But even there, though the theory and some small portion of the forms of rational and free government were admitted, from ignorance, prejudice, and inexperience, the

practice was execrable. Some great man had it always in his power to direct every municipal movement, and when the power was at any time in danger through the spirit and activity of the burghesses, of being wrested out of the hands of this great man's minions, there was seldom any difficulty found in procuring a royal mandate for continuing in office, without any further election, these same minions, till the fervour of the citizens should be cooled down to the proper standard, through the influence of time and the operation of circumstances. Instances of this, in the history of Scottish burghs, are so numerous, that we do not think it necessary to state particular examples. But this was not all. The magistrates of burghs, in imitation of their fellow rulers the chieftains, took it upon them, and were quietly allowed by their constituents, to exercise their powers in a most arbitrary manner, fixing the prices of commodities, the price of labour, &c. in which they were admirably assisted by the numerous sumptuary acts of the Scottish parliament. They even went the length, on different occasions, of prohibiting certain individuals to buy, and the whole of the burghesses to sell to these individuals, the most common, and oftentimes necessary articles of consumption. Nothing indeed can be conceived so absurd as not to have been, under the pretence of promoting good order, religion, or morality, at some time or other the subject of burgh regulations. The citizens themselves too, sometimes from mere wantonness and vanity, but especially from an excess of selfishness, by stretching their corporation, and adding to them by-laws, so fettered themselves in attempting to fetter one another, and so cramped their own industry, that it was impossible that it should ever turn to any good account. Indeed, than the circumstances of Scotland, whether we consider the weakness and inefficiency of her government, her relative feebleness, as opposed to England, by whose superior armies she was at all times liable to be overrun, or the consequent poverty of her people, which was altogether unavoidable, we cannot conceive of any thing more perfectly calculated to enchain the energies of the human mind, to blast even the fair blossoms of hope, and to sink every nobler purpose in the listless slumbers of apathy, or the dead sleep of despair.

The desperate misrule of the two Charleses and the last of the Jameses necessarily gave a new tone and a very different turn to Scottish feeling, which, during the bustle of the Revolution, and for some time afterward, promised the happiest results; but a people once sunk in slavery, and for a length of time the victims of despotism, can be awakened to a sense of their true interest and of their real dignity by nothing short of miracle. Abuses in government, while they furnish the means of an extensive patronage, and thus deepen the foundations of power and strengthen the arms of authority, become fruitful sources of profit, which, acting upon the cupidity of all who think they have any chance of sharing it,—and these are in all countries a much more extensive class than is generally imagined,—stupifies their understanding, blinds their pride, and renders them at once the willing tools and the pliant slaves of that power they would otherwise contemn, and of those persons they would otherwise despise. This was never more fully exemplified than in the convention or revolution parliament of king William. Scarcely could any public measure be expected to be carried with more unanimity than was that of declaring the forfeiture of king James, not a man among them feeling any security either for life or property so long as that act was only in progress, yet the members were scarcely warm in their seats, when, seeing no other way of grasping the powers and the emoluments of office, the one half of them, and these the most zealously affected towards religion, were plotting night and day to restore that same king James, who had so

often declared his prerogative to be uncontrollable, and his will to be law. Nothing so contemptible was ever exhibited on the page of history as the conduct of the Scottish nobility during the period between the Revolution and the Union, covering to-day their selfish and treasonable designs under the cloak of affected patriotism, to-morrow with the equally affected one of religion, but both held so loosely about them that the imposture was perfectly visible to all who were not blinded by interest, or maddened by prejudice and passion. How this unprincipled pliancy was laid hold upon by the English ministry, and improved for accomplishing that great work, the union of the kingdoms, we have sufficiently explained in our Introductory Dissertation—how its continued operation had nearly broken up that most important treaty by infringing its stipulations—and how it contributed to render its most salutary provisions little better than waste paper, till Culloden's bloody day laid the country once more beneath the feet of a conqueror, we do not here resume, as it forms the principal subject of our history, and is there, we would fondly hope, laid open to the apprehension of every reader.

The above sketch of Scottish society and manners, however revolting to the pride and the prepossessions of a Scotishman it may be, his better judgment will satisfy him is perfectly correct, and, with a small degree of modification, just as applicable to the year 1748 as it was to the year 1548, little improvement having been made in the country during all that time. Scotland had now indeed received a boon from England in the breaking up of her feudal government, which may be considered as an ample atonement for all previous injuries, though they had been much more numerous than in truth they were. It is one thing, however, to legislate, and it is another thing to obtain the proper fruits of legislation. The British government had covered the chieftain's pit, and taken away his gallows. He could no longer, urged by hatred, by pride, or caprice, hurry his victim into darkness, and there starve or torture him at will, nor durst he hang him up, or drown him in the face of the sun, either for his profit or his pleasure. But there are many ways whereby a great man may harass and oppress a poor man though he dare neither hang nor drown him. This, after the abrogation of his juridical power and the surveillance to which he was subjected by the British government in the year 1748, no chieftain dared to venture upon; nor durst he sell him openly, as he did a sheep, a horse, or a cow, for the use of his friend, the merchant, who was acquiring wealth among the Buckskins in Virginia, or his second cousin, the captain, who was pursuing glory in that slaughter-house of human beings, the Netherlands, but for many a long year after this he would have put the question, with high indignity, "Am I indeed a Laird in Scotland?" and he would have doubted of its truth had he not been able to rid the country of an obnoxious individual without the assistance of either judge or jury. The real matter of fact was, the laird had been so long accustomed to command, and the tenant—being so chiefly at the laird's pleasure—so long accustomed to obey, that the law for a time made very little difference in their relative situations. In most places where it did make any difference it was to the disadvantage of the poor man, whose ignorance prevented him from appreciating his privileges, and whose poverty precluded him from taking the benefit of them if he had. This was more especially the case in the Highlands, where a system of oppression, the most sordid and disgraceful—bounded latterly indeed by legal barriers—then commenced, and has proceeded, with relentless rigour, down to this very day—a system which has annihilated whole tribes of a most interesting people,—extinguished hundreds of hearths, in the fairest and most fertile

valleys of that hapless country, and, at length, has left itself in many places nothing to prey upon but a few miserable shepherds, and their solitary flocks, with the wailing hills and the weeping vales over which they wander.

But it was not in the Highland districts alone that the poor inhabitants were subjected to the debasing effects of ignorance and the miseries of poverty, though there perhaps both were more deeply felt. There had been, in consequence of the Union of the two crowns, a very considerable intercourse carried on with England, and especially since the Union of the kingdoms emigrations to that country had been increasing; and, possessing habits of economy and of patient industry, it was only in the natural order of things that many Scotchmen rose to wealth and respectability in a land which afforded such a fair field for the exercise of these virtues. But the effect upon Scotland was for the time rather hurtful than beneficial. Few of these adventurers thought of returning, and they were daily followed by others, whose talents, instead of being given to promote the infant manufactures of their native land, were devoted to the already fully matured and profitable establishments of the sister country, many of which were by this means materially benefited. The patriotic Forbes, however, with all the influence of the government on his side, was in the meantime labouring to establish the linen manufacture in Scotland, and to extend her fisheries; and, though the progress was slow, it was, especially with regard to the former, latterly very considerable. - In the year 1727 there was stamped two million one hundred and eighty three thousand nine hundred and seventy eight yards of linen, valued at one hundred and three thousand three hundred and twelve pounds sterling. In 1731 it had increased to upwards of four millions of yards, valued at one hundred and sixty eight thousand three hundred and twenty two pounds sterling. During the next ten years the increase seems to have been trifling, but in the year 1748 the number of yards was upwards of seven millions, and the value upwards of two hundred and ninety three thousand eight hundred and sixty four pounds. A gradual increase is recorded every year after this, till the year 1754, on which year the quantity was upwards of nine million of yards, and the value upwards of four hundred and forty five thousand pounds sterling. In the succeeding year it fell off upwards of half a million of yards, but, aided by the influence of the country gentlemen, it again rose, and continued to increase till, in 1783, the quantity was nineteen million one hundred and thirty eight thousand and odd yards, the value, nine hundred and thirty two thousand six hundred and seventeen pounds sterling. This, to a country so poor as Scotland, and possessing, in so small a degree, the means of industry, must have brought a very sensible relief. It gave indeed a strong impetus to the spirit of the nation, and the spinning of linen yarn afforded, especially to young women, what was considered at the time a lucrative employment. Spinning was everywhere pursued with eagerness, and the fruits of it soon appeared in a mode of dress among village maidens, more gay than anything former days had witnessed, and which by the more rigid part of the community was severely censured as the most extravagant prodigality. Linen yarn was so much, during a part of this period, in request, that all that could be procured at home was insufficient for the demand. Large quantities of it were imported from Flanders, and no less than forty women were brought over from that country, and settled at the village of Anderston in 1768, for the purpose of spinning and teaching others to spin it in the best manner. Such were the small beginnings of Scottish manufactures, which were latterly to be extended to almost every article either of ornament or utility, and to be carried to every quarter of the globe.

While the benefits of the linen trade were thus diffusing themselves over the country, there were particular places where trade in general seemed more especially to find a congenial soil, and to spring up with peculiar luxuriance. Of this the most brilliant example was the city of Glasgow, which, improving the advantages of her situation, had already, with the North American colonies, established a most extensive and lucrative commerce. Paisley too was early distinguished for the ingenuity which her people displayed in the labours of the loom, in which they are to this day nearly unrivalled. Coarse checked linen cloth, which was exported principally to England, seems to have been the first of her products. This was shortly after improved upon by beautifully variegated linen handkerchiefs, linen gauze, &c. &c. To this succeeded silk gauze, which was here brought to the highest degree of perfection. The making of fine white sewing thread was also before this introduced into Paisley by Mrs Millar of Bargarran, and was long a very lucrative branch of industry. So rapid was the progress, and so extensive the manufactures of Paisley in the above articles, that in the year 1784 they were supposed to amount to the value of five hundred and seventy nine thousand one hundred and eighty five pounds sterling; giving employment to upwards of twenty six thousand persons.*

The influx of so much wealth had by this time produced a very marked improvement in the state of living in that particular district; and in the furniture of their houses, the furnishing out of their tables, and the decoration of their persons, the humble class of mechanics began to discover something like rationality, an attention to comfort, and at the same time to a little of what was graceful as well as useful. The coat of home-made Campsie gray began to give place to the more pliable and pleasant English broad cloth, and the substantial drugget to printed calico; the chest of mahogany drawers and the eight-day clock began to appear in the apartments of the more aspiring, while a handsome silver watch became a thing not uncommon in the pocket of a young man. The worsted snood gave place to an elegant ribbon, and black silk cloaks and bonnets, in the opinion of many a sincere moralist, threatened to level all distinctions among women, and by and by to unsettle the foundations of society. But it was not to the merchant, the manufacturer, and the mechanic, that this alteration of circumstances was confined; the ready purchasers, and the ready money at all times to be found for the produce of the field, and especially of the dairy, in the Paisley and the Glasgow markets, excited an emulation and a spirit of industry among the surrounding farmers, which very soon became visible in their commodious dwelling places, in the showy and at the same time substantial appearance of their families, in their improved implements of husbandry, in the strength, the sleekness, and the beauty of their cattle, and more especially in that flush of living green, that, glowing over their well fenced fields, seemed to defy all change of time and of seasons.

This change of circumstances, however, was as yet confined to a comparatively narrow circle. Over the country in general that venerable personage, Use-and-Wont, with his faithful attendants, Sloth, and Famine, and Nastiness, still held an almost unbroken dominion. To those who are not old enough to remember having seen the last remains of it in operation, no description can give any thing like an adequate idea of the wretched economy that was at this period prevalent. Except the kail-yard, and the barn-yard, of which it most commonly made a part, there were no inclosures, and these were generally very imperfect ones. Many farms were still held in run-rig, and the corn was

* Statistical Account of Scotland, vol. vii. pp. 68—69.

no sooner off the fields, than all the cattle of a neighbourhood, being driven to the door and left to wander where they would, herded together through the day, and if any one had a rig or two of stubble not fully *picked*, as they graphically termed it, a herd of a hundred or a hundred and fifty of his own and his neighbour's cattle did it most effectually in a couple of hours. By the dusk of the evening the herd separated as they had met, each drove seeking its own home; but as the spring advanced, from the increasing weight of the cows in calf, and their growing weakness for want of a sufficiency of fodder, seldom a day passed that some of them had not fallen into bogs, from which it not unfrequently required the united strength of the neighbourhood to extricate them; and by the time the grass came in they were generally reduced to mere skeletons, the one half of them so weak as to need the aid of man before they could get upon their legs after the repose of the night, and oftentimes not a few of them dead for the mere want of sustenance. Coming to the grass in this miserable plight, the summer was over before they were in any tolerable condition, and of course their milk was a mere trifle, that of a dozen or fourteen cows not equal to that of two upon the modern system of management. Though small in quantity, however, their milk was excellent in quality, and tidily gone about would have yielded butter and cheese of unequalled excellence, but, unfortunately, circumstances here also were altogether against them. Their houses were miserable hovels, the roof perpetually dropping through in some corner or other, and from being perpetually filled with smoke, every rafter of them feathered with soot; their women clothed in coarse plaiden or drugget, dipped in some sable dye, and never washed, could not move without creating an atmosphere around them that might be both seen and felt, in consequence of which, their butter, though it might be sweet, was never clean, and their cheese, from the blueness of its colour, always indicating its having been, when in curd, pressed with unwashed hands.

But if the dairy was mismanaged on the part of the women, the husbandry was perhaps still more so on the part of the men. The plough made use of was the old Scottish, drawn by four horses, itself, from the clumsiness of its make, a sufficient draught for two of them, though it had never entered the earth. The horses were for the most part in no great heart; they were also accoutred in a very uncouth manner, having brechamps made of rushes, and being haltered and yoked to the plough by ropes of hair, twined upon the *thraucrook*, from the clippings of the colts' manes and the cows' tails; the corn upon which they were fed was neither good nor abundant; and, from its poverty and the poor returns which it yielded, they had a great breadth of ground to turn over, in consequence of which, by the time the seed was put into the ground, they were scarcely able to walk upon their legs. They were, however, as soon as there was any appearance of grass, sometimes before it, turned out to the fields, and, except for leading home the peats, had the whole summer season to recruit. The men, not accustomed to constant labour, and fed even worse than their horses, were like them in a very reduced condition, but like them had the summer, with the exception of a few days, to recover themselves. There was not indeed, so far as they could see, any thing profitable to be done; accordingly they lounged about, generally barefooted, sometimes assisting the herd, sometimes the women with the kirk or the cheese, oftener than either sleeping in the sun after having had their bellyful of whey, which through the summer formed the principal part of their living, and were, with the exception of casting a few daurs of peats, and pulling, from among the corn, a few back burthens of thistles, which they did principally for the purpose

of feeding the horses, through the better part of the season mere idlers. Harvest, which, from the poverty of the soil and the little care bestowed upon a proper choice of seed, was almost always late, again called forth their energies, and winter again lulled them in the same kind of insignificant repose.

Than this kind of life nothing could be imagined more insipid, and, when we take into the account, that it did not bring along with it a sufficiency of the coarsest food to satisfy the cravings of nature, we may add, that surely nothing could be more absurd; yet these are the days of the olden time, to which we are so often and so fondly referred, as having been the era of honesty, and purity, and truth, and independence. So far was the fruit of such imbecile exertions from being equal to the moderate supply of their wants, that even the first class of farmers, proprietors of their own farms, had often no other refreshment in the field, amid the severe labours of the spring, than a handful or two of boiled beans, which they carried out with them in their pockets; and to their children, sent perhaps to the distance of two or three Scots miles to the parish school, they could afford as a midday repast, at sundry periods of the year, nothing better than a few blades of boiled greens, which they sent along with them, tied up in a cloth. To butcher meat, except it were drowned calves and *traiked* sheep, all of which, if found before they fell to pieces, they carefully carried home and greedily devoured, they were total strangers; and if a cadger brought them round a few casts of salted herrings during the winter, or a bundle or two of leeks during the spring, they never dreamed of indulging in any thing more luxurious. It was a rich and a full house, that could afford a few spoonfuls of *parritch* in the forenoon that had been left at breakfast, and these, with the addition of a capful of floatwey, formed a grateful refreshment that was often bestowed with pride, and accepted with thankfulness, by the most respected visitors in the family. Of substantial clothing in such houses, there was often a superabundance, but, from the want of cleanliness, there was a great destitution of comfort. The woollen shift, destined never to see water, except the rain as it fell from heaven, above three times in the year, was not yet totally discharged, but it was in a great measure supplanted by a coarse harn, very little superior to sacking, only it was not tweeled in the loom. This had the advantage of being subjected to a regular process of being wetted and dried in a rather curious manner, which at that time was called washing,* but which produced few or none of its benefits. Still it was so far an improvement, as it was an approximation to, and a preparation for a better system, the elements of which were silently but rapidly accumulating.

Such being the condition of the farmer, what must have been the misery of the poor labourer or cottager, as he was then called, with his sixpence a-day, when he was employed, and his employment often but partial? The truth is, though he was honoured with another designation, he was in reality neither less nor more than a pauper, who was indulged on the farm, where his cottage was situated, partly from habit or custom, and partly on account of real or supposed utility. He had a house, such as it was, for very little money, and this always paid by personal services on the farm. Milk and whey he received gratis at all times when his superiors had any to themselves,

* The clothes were laid in a tub, and covered over for four-and-twenty hours with cow dung which they called *houking*; after being rinsed out of this, they were tramped in lay, principally composed of old urine, to which, by housewives of more than ordinary scrupulosity, a little soft soap was added, they were then laid on the green, where a watering or two and drying finished the process.

only in return, his wife and his children, if come the length and not otherwise employed, were ready to lend a hand at the weeding and the pulling of the flax, and perhaps a day or two in the meadow at hay making; but with all this it was impossible that sixpence a-day, though it had been certain every day in the year, which it was not, could procure a sufficiency of the coarsest food and clothing for a large family. It was the policy, however, of the cottager and his wife to be at all times upon the best terms with the *gudeman* and the *gudewife*, as the farmer and his wife in these days were always denominated, and it would have been highly discreditable, especially for the *gudewife*, to have been reported as close handed. When a *melder* came from the mill, it was thought no more than duty to send out of it a *melloth* to the cottar and his family. When the sheep were shorn it was also customary to give the cottar's wife as much of the wool as might be a pair of stockings, and weft for a bit of drugget for a short gown, a petticoat, or an apron, for which, after being spun, the *gudewife* was often kind enough to allow her warp on the end of her own web, and by this, and such like means, the poor family came to be clothed often at very little expense. It very seldom happened, indeed, that any thing very particular came in the way of the farmer, such as a sheep killed for the sturdy, a drowned stirk, or a braxy, but what the cottar had some small share of it, less or more, so that his family fared better, or at least more like his betters than at first sight one would suppose; and, we would wish to believe, that in many instances, this commerce was the fruit of benevolence on the one side, and produced gratitude and love on the other. At the same time the poor woman was always in danger—especially if any one of her sons, unconscious of the inferiority of his birth, happened to assert his superiority of talent, either by getting above the *gudewife's* favourite son in the class at school, or standing his own part on the way home—of being treated to a dish of very sour and unpalatable sauce to her braxy.

This which was certainly nothing better than a kind of semi-barbarism, one would suppose not to have been a very desirable state for either of these classes, yet both seem to have been tolerably content, and neither much wishing for, nor anticipating a change. It was to be sure, a tedious process for the farmer to thrash out his corn by a thrieve or two every morning; and, shovelled up with the chaff on the barn floor, it often became musty before the wind came fair into the barn door, or before necessity compelled him to carry it out to the barn-yard, where the corn was saved upon a *winnow-claith*, the chaff being blown into the air; but his mode of thrashing was adapted to the quantity of straw allotted for his cattle, and had that quantity been increased, the straw would have been consumed too early in the year, and the cattle would latterly have been starved, for it was no part of the ancient economy of farming to preserve straw for any time after the corn was thrashed out, except occasionally in the shape of thack sheaves. This, added to the expense of either a thrashing mill or a pair of fanners, damped the ardour of the farmer, while the cottager fancied he saw in either of them what was to take the bread entirely out of his mouth, except what he might be able to acquire by straight-forward begging. Some such plausible objection was always at hand against every part of the new system, all of them founded on sloth and mistaken selfishness, but the expansive spirit of philosophy, handed on by the genius of liberty, was abroad, and Selfishness, for her own preservation, was under the necessity of becoming her pupil. In the Merse and in the Lothians, under the auspices of some public spirited noblemen, particularly the earls of Haddington and Stair, agriculture had already been brought to a great degree of perfection. The demands of commerce, and the public spirit of a few gentlemen had given life and vi-

gour to it in the counties of Ayr, Renfrew, and a part of Lanark, and the canal between Forth and Clyde, begun in 1768, and finished in 1784, with the good roads that were every where in progress, prepared the way for a general improvement, even in the most sequestered quarters of the kingdom.

For some years previous to this, the American war had hung heavy on the country, and retarded in no inconsiderable degree her rising grandeur. The city of Glasgow in particular, the whole trade of which centred in the North American colonies, suffered to a very great extent. Though her losses, however, had been great, her capital was still considerable, and in the skill and enterprising spirit of her merchants, she possessed inexhaustible resources. Machinery for spinning cotton had lately been invented by Sir Richard Arkwright, and muslin was an article entirely new among European manufactures. These of course naturally excited the attention of the Glasgow merchants, who had sagacity at once to discover the mines of wealth that lay latent beneath them; and they engaged in both upon the most extensive scale. Mills for spinning cotton were soon erected, all by companies of Glasgow or of Paisley merchants, at Lanark, at Catrine in Ayrshire, at Balindalloch, and Doune, in Stirlingshire, at Rothsay, in the Island of Bute, at Blantyre, at Busby, at Pollockshaws, at the Bridge of Weir, at Johnstone, and at Linwood, &c. &c. all, upon such an extensive scale, as to be like the setting down of a city at each of these places. From this period the progress and the improvement of the country has been such, as there is no parallel to be found to it in history. Spinning, weaving, tambouring, sewing, bleaching, dying, and printing, besides giving an impetus to so many arts, necessarily connected with them, were each in themselves most lucrative and extensive sources of employment. Even at the winding of yarn, many industrious young women acquired what would have been thought handsome marriage portions for the daughters of a country laird. The class of warpers very soon put on the appearance, and lived altogether in the manner of gentlemen, and many of their descendants are now the principal characters in the West of Scotland. Even simple country lads—who, as shepherds or ploughmen, could never have hoped for more of this world's wealth than each a few sheep, grazed along with the flocks of his master, or to have occupied a cottage, with an income of sixpence per day—by a few years' diligence at the loom laid the foundation of princely fortunes, and have become most honourable among the honourable ones of the earth. Common weavers, who had no other ambition than to enjoy the fruit of their labour, built for themselves houses, planted gardens, and lived in a style of ease and comfort, rather like gentlemen who had retired from active life to enjoy an honourable independency, than men who were living by the labour of their hands. Villages rose up as if by magic,—the humble farm steading—whose height would scarcely, for a moment, have retarded the progress of an English hunter, but whose lengthened and verdant roof, while it showed every inequality of the ground over which it was extended, had sheltered for centuries, many a generation of successive inmates, rational and irrational, the abode of the latter being separated from the former only by the *hallan*, through which every croon of the wakerife hawkie could be distinctly heard during the night, and perched upon which, the clarion cock had for many an age hailed the approaching morn—began everywhere to disappear, its place being supplied by the handsome modern mansion, with all its offices arranged for convenience and comfort. Hedging, ditching, planting, and improving called forth energies of which no one knew he was in possession, till in the person of his neighbour, he beheld them in full operation. The beautiful hedge rows, the thriving clumps, and the convenient inclosures of

one proprietor, excited the taste, and awakened the emulation of another, till hands could with difficulty be found to execute, or a sufficiency of materials to complete the improvements that were in progress, while each, astonished at the beauty and fertility that so suddenly began to glow around him, was anxious to engage in new and still more extensive experiments.

These rapid improvements necessarily produced a remarkable change in the habits of the people, and in all their modes of operation. Negligence and sloth gave place to patient industry and careful economy. The cumbersome and inefficient implements of husbandry so long handed down from one generation to another, without any attempts either at alteration or improvement, now fell into disuse, and practices, evidently the offspring of indolence, were laid aside. With ploughs of a lighter make, and a more happy construction, one man and two horses performed the work that formerly required two men and four horses. Taught by experience the value of manure, the farmer no longer employed the mountain torrent to clean out his dung-hill, under the pretence of enriching some small portion of meadow land, over which in a careless manner that mountain torrent for a part of the year, had been turned. He now knew better how to husband that to him necessary article, and the greater quantity he could collect against the coming seed time so much richer he foresaw would be the coming harvest. His crop was no longer raised in patches scattered over a naked farm, a patch here and a patch there, with a ragged boy chasing a few half starved cattle up and down among them from morning to night. He now cropped an entire inclosure, which, if not skilfully, was at least diligently cultivated, and promised him a reasonable return, while in another he pastured his cattle, all of the fine milking Ayrshire breed, beautifully sleek, and up to their knees in grass. With the Ayrshire breed of cattle, he had also imported the Ayrshire management of them, and his wife was qualified to present him, from their produce, every day, or every other day, a cheese equal to the richest Dunlop, or a barrel of buttermilk of the first quality, with butter, that in the London market might have been sold as the produce of Epping. For this cheese, this butter and buttermilk, he had always too a ready market, either in his own house, among the neighbouring villagers, at some of the great public works in the neighbourhood, or in the cities and towns adjacent. This was to the farmer a source of profit that might in some respects be said to be entirely new. Milk he had hitherto produced in small quantity, and small as it was it came to a still smaller account. The milk itself, after being churned, so much of it as was not consumed in his own family, was either thrown to the door, or given to such as would be at the trouble of carrying it away for nothing; now it was all sold, and the produce was in many instances a sum larger than what he was accustomed to draw for the produce of his whole farm.

But it may be asked what became of the poor cottar and his family, amid all these improvements? Was he not, by this increased value and economy in the management of farm produce, a very great sufferer? No—not in the smallest degree. So many sources of employment were opened to him that his only difficulty must have been, which of them he should embrace. If he was in the vigour of life, and found it agreeable to remove with his family into some of the public works, he could with a very little instruction command a greater number of pounds every week than he could formerly command shillings. If he felt the prejudices, common to a pastoral people, against such establishments, he could yet, at some of the many roads that were constructing, the canals that were digging, or the numerous quarries that were newly opened, find constant employment, with an income far be-

yond what he had yet learned was necessary for his daily subsistence. Or remaining in his old situation, he could have, in place of his three shillings per week, from ten to fifteen, upon which he was well able to pay for his milk, and, as living was then managed, to live as independently as his master. Indeed, had the prophetic lord Belhaven been allowed to look up from among the dead, he might have seen almost in every village, as a real and legitimate fruit of the union, not as he predicted, "the peasant eating his saltless pottage," but, having laid pottage aside, drinking his tea and eating his toast every morning.

This period of our national progress appears to us more interesting and to have brought along with it, to the lower and middle classes, a far larger portion of happiness than any of those that have succeeded. It is more interesting, as having developed the consequences of a great many causes that had been for better than half a century, in active, though often silent operation. The changes too which it effected, were of no common magnitude, and they strike the mind more forcibly by standing in contrast with that sterility and despondency out of which they sprung, and which they have now nearly annihilated. It must also have promoted the happiness of the middle and lower classes in a higher degree than any of the succeeding periods, because, their propensities to luxury had not yet outrun, but were only following the means of gratification. Besides, many things had not yet found their highest money price, and were still to be enjoyed upon terms comparatively moderate. The direct roads of fair and honourable dealing being yet far from fully occupied, there was little temptation to pursue the by paths of usurious and dishonest gain, by which the interests of society have been in latter periods so extensively injured, and those extravagant house rents, which have so completely swallowed up the lower classes, were totally unknown.

But though there was certainly in general much of solid enjoyment diffused through society at this time, it was very soon soured by the restless spirit of discontent, which a singular combination of causes conspired to awaken with peculiar virulence. The perfecting of human nature by a new system of political institutions, in which religion was to have no place, had long been a favourite speculation with a pretty numerous class of men, who dignified themselves with the name of philosophers. The American government, which had just been established, and the new French government, which was attempting to be established, were both held up by hosts of admirers, as admirable models, which though not, perhaps, absolutely perfect, were to be copied by all who expected to share in, or to be instrumental in helping on those days of universal peace and prosperity, which in the last of these events, it was by many asserted, had already begun. The *Rights of Man*, a book written by Thomas Paine, with a view to propagate the new opinions, was reprinted, by a society in London, and, at a very small price, circulated through Scotland, with extraordinary zeal, and certainly produced most extraordinary effects. To display these effects at large formed no part of the plan of our history, and our limits compel us to be brief. Suffice it to say that grave, and violently calvinistic divines, adopted, through the medium of Thomas Paine, the very worst doctrines of Spinoza, of Hobbes, of D' Alembert, of Voltaire, and of Helvetius, and set themselves in good earnest to reconcile them with the gospel. Creeds, the bequest of martyrs and confessors, and dignified by the suffrage of ages, were rashly and recklessly corrected. Commentaries were written and printed—the seals of unfulfilled prophecy were by sacrilegious hands attempted to be broken—and in displaying the signs of the times—binding the Apocalyptic dragon—unfolding the angel of the bottomless pit—as-

certaining the scarlet coloured beast of St John, and numbering his name—drying up the river Euphrates, and disposing of the false prophet, torrents of nonsense, strongly acidulated with the essence of sedition, were poured from pulpits and from presses, such as no previous age of the world had ever witnessed. Under such a regimen it was impossible to avert a political fever; every remaining Jacobite became a ferocious Jacobin; many an honest and well-meaning man was for a while miserably deluded, and had the reins of government been in hands less firm than those of Mr Pitt, and Mr Dundas, afterwards lord Melville, the land, through its length and breadth, had most certainly been deluged with blood.

This political typhus, however, happily for the honour of Scotland, was not indigenous. The infection was at first imported from England, and of the few individuals whom it was found necessary to put under a legal regimen, two of the most conspicuous, citizens Palmer and Margarot, were natives of that country. Few Scotchmen, possessing either talents or influence were at any time infected with it; yet, in consequence of a perpetual intercourse with those places in England, whence the disorder originally came, and with Ireland, where it had long raged with aggravated malignity, the virus was still kept alive, and, every now and then, threatened, under some new modification, to interrupt the public tranquillity, till it brought forth at last the provisional government set up at Glasgow, April the first, 1820; and fifteen days after, finally—it is to be hoped for the honour of these latter times—expired on the field of Bonny Muir. The whole of this affair, however, though nothing behind others of the same kind in wickedness, was conceived in such immense folly, and executed with such extreme imbecility as to be, in our opinion, a subject for the comic rather than the historic muse.

To return then to the happy progress in the state of Scottish society, the first lines of which we have attempted to trace, if it had any influence in unsettling men's minds, and disposing them to give credit to those extravagant speculations that were so freely indulged in at the time, that influence ought to have been very soon annihilated, a variety of causes, in 1793, having brought on one of these appalling crises to which, if we may reason from the past to the future, all commercial communities are, at not very distant intervals, by the very principles of their existence necessarily subjected. This was certainly the most extensive calamity of the kind that had ever been felt in Scotland, and with many a vain and visionary prospect it swept away many a well grounded expectation, with many of the substantial fruits of patient industry and honourable enterprise. Among other things, it swept away many of the particular advantages enjoyed by the operative weaver, bringing him much nearer the level of other operatives. Every succeeding catastrophe of the same sort has had a similar effect, till he is at last, we are afraid, fully more the child of penury and toil than almost any other mechanic. Perhaps we may affirm without much danger of contradiction, that with respect to real comfort the labouring portion of the community, taking them altogether, are just now, 1828, rather behind what they were for some time previous to 1793. This, however, is far from being the case with regard to the country in general, which, notwithstanding periods of great depression and much individual suffering, has been steadily upon the whole advancing; rents, even after years of agricultural difficulty, are still in almost every instance triple to what they were in 1793; judges' salaries, ministers' stipends, lawyers' fees, &c. &c., have all since that period been very considerably increased, and in the style of building and furnishing houses, as well as the mode of living within them, there is certainly a very material difference. In the cities of Glasgow and Edinburgh alone what immense sums of money are sunk in the princely pa-

laces which form, especially in the latter city, so many streets and squares, that challenge comparison with Greece and Rome, in the days of their greatest glory !—What, in the tastefully elegant and substantial furniture, with which they are adorned and fitted to be the dwelling places of the wealthy proprietors !—What, in the varied and incalculable stores of merchandise that fill the innumerable warehouses of these two great cities alone, not to speak of the flourishing towns of Paisley, Kilmarnock, Perth, Dundee, Aberdeen, Inverness, &c. &c. the meanest of which is now richer, in what really administers to the comfort of life, than the capital of the kingdom, Edinburgh itself, was, little more than a hundred years ago ! What accumulations of property are the daily multiplying factories for spinning, weaving, bleaching, printing, dying, &c. &c. when we take into account their machinery and the material upon which they are employed ! What a mass of real wealth is collected in the countless herds of cattle that clothe our verdant fields, and how much is latent in these fields, so richly laid down and prepared to pour forth corn in abundance into the lap of the industrious cultivator ! In short, amidst all the complaints which we daily hear, and all the privations which we daily feel, when we look to our cities rising in grandeur, and extending themselves on every side—when we look to our farms, so finely enclosed, and every year blushing with a deeper green,—when we look to our farm houses, surpassing in elegance and still more in convenience, what was formerly the mansion house upon the estate—when we look to our streets and our public roads, and especially when we enter our churches upon the Sabbath, and see the manufacturer and the merchant, the landlord and the tenant, the master and the servant, wearing the same elegant clothing, possessing the same penetrating glance of observation, the same cautious and prudent self-respect, and the same dauntless air of independence, we are ready to exclaim in the words of the lawgiver of the Jews concerning the land of promise : “ Surely this is a land which the Lord careth for, and his eyes are on it from the one end of the year even unto the other end of the year.”

From this cursory survey of the general state of Scottish society, it must be naturally inferred, that the arts, especially the mechanic arts, are well understood and successfully practised ; nor should it be forgotten that to a Scottish mechanical philosopher, the late James Watt, the world is indebted for the full discovery ; and, in a great measure, the practical application of the not yet fully appreciated power of the steam engine, which, while it has converted Great Britain into a work shop for the world, has brought distant continents and islands into a closer relation to one another, and given, by means of the steam boat, a new aspect to the whole art of navigation. In the sciences she has also been honourably distinguished, and the names of Napier, Maclaurin, Simson, and Gregory bid fair to last as long as science herself. It is not our purpose to speak of the living. If it were, we could produce names not unworthy of such predecessors. In Dr Joseph Black she possessed a chemist whose discoveries paved the way to the greatest improvements, and the most wonderful discoveries of the present day. In philosophers, historians, and poets, particularly in the two former, her annals are rich beyond that of most other nations. In George Buchanan she possessed at an early period, a historian, whose unrivalled latinity is the least of his praise. The enmity of his pupil, the piddling and pedantic James, with the hatred of the bishops, and of all court clergymen, and flattering courtiers, have succeeded in throwing a cloud over his character which the justice and candour of modern times has not yet wholly dissipated, but no man ever bestowed upon him an impartial perusal without being struck with the fire and the force of his delineations, and especially with the extent and the propriety of his political specu-

lations, which to this day have been equalled by few and exceeded by none. In more modern times Robertson and Hume have been preeminently distinguished; and, notwithstanding of some unfortunate partialities and many obvious prejudices, still are, and most probably will long continue to be in full possession of the public favour. In philosophy, especially the philosophy of mind, the names of Campbell, Beattie, Reid, and Brown, stand, especially the two latter, peculiarly distinguished. In theology, from the nature of her ecclesiastic establishment, which imposes so much every-day labour upon every individual minister, leaving little time for abstract speculations, she is less distinguished than in some of those departments we have enumerated, yet she may well be proud of the evangelical, pointed, and pathetic Boston, the critical Macknight, the vigorous Wotherspoon, and of the learned, and pious, and profound Haliburton, not to speak of the two Erskines, Brown of Haddington, &c. &c. whose works, pious and practical, are in every body's hands, and have done more real service to the souls of men than the whole host of school divines put together. In poetry she cannot with England boast of either a Milton or a Shakespeare, but in Dunbar, in Thomson, in Beattie, in Pollok, in Allan Ramsay, and in an humble ploughman Robert Burns, she can produce something equal to any other name in the poetical galaxy of that country. Many of the descriptions of rural life and manners, by this latter gentleman, are executed with a felicity of which we have found no example in English poetry, and many of his Lyrics are effusions of pure inspiration, which we question much if Horace or Pindar ever equalled.

The stimulus to all this improvement, and the rudiments of this unexampled prosperity, were unquestionably imparted by England. Emulation of that country had long been a growing propensity in Scotland, and, previously to the Union, had manifested itself in a variety of instances, particularly in the formation of the African company, and the settlement at Darien—undertakings nobly conceived, though greatly beyond her ability. These breathings of her ardent and philosophical spirit, England, unfortunately for herself and for the world, stifled in the birth; but in the sums employed in effecting the Union—given under the name of an equivalent for certain advantages she was supposed in that matter to forego—divided under various pretences among her barbarian chieftains—expended in the maintenance of an army employed to subdue her stubborn and intractable spirit—and in purchasing the exorbitant and destructive authority of her great men, who claimed to be hereditary rulers, she insensibly furnished the means of new and more fortunate undertakings. Nor must it be forgotten, that with all this, she imparted no inconsiderable portion of the spirit of her incomparably excellent civil constitution, opened a wide field for the exercise, and a ready market for the products of industry and genius. Thomson might have repeated his Seasons to the winds, and perished unheard of in some village school, but for the London booksellers, and the English public. But for the same patrons, Robertson might have reposed at Gladmuir, and Hume at Edinburgh or Ninewells, and their names been confined to as narrow a space as their mortal remains. Watt, with all his superlatively inventive genius, could with difficulty keep a house over his head at Glasgow; and had he not found a friend in the sister country to assist him, those exquisite inventions that have given to man, we had almost said a higher place in the scale of creation, and made him in no small degree master of the elements, had yet slumbered in the uncertain womb of futurity. At the same time, the advantages have been nearly if not altogether mutual. If Scotland has been rendered more tranquil, England enjoys a state of additional security. If the latter has imparted a little of that capital with which her commercial

establishments were overflowing, she has had in return, what the most abundant capital cannot always command, an influx of men remarkable for their patient perseverance, their genius, and their valour. She has had, since they were united, no scene of industry which Scottish enterprize has not extended—no station of trustful honour, which Scottish genius and worth has not dignified—no field of fame where Scottish valour has not been conspicuous; and there ought to exist between the two countries nothing but affectionate esteem and reciprocal good will.

END OF VOLUME SECOND



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